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September 1, 1975

SELECT COMMITTEE - ASSASSINATION REPORT

Agreed to by Subcommittee

October 8, 1975

PROLOGUE

The events discussed in this Interim Report must be viewed in the context of United States policy and actions designed to counter the threat of spreading Communism. Following the end of World War II, many nations in eastern Europe and elsewhere fell under Communist influence or control. The defeat of the Axis powers was accompanied by the rapid disintegration of the Western colonial empires. The Second World War no sooner ended than a new struggle began. The Communist threat, emanating from what was then called the "Sino-Soviet bloc," produced a policy of containment intended to prevent further encroachment by Communism into the "free world."

United States strategy for conducting the Cold War called for the establishment of interlocking treaty arrangements and military bases throughout the world. Our concern over the expansion of an aggressive Communist monolith led the United States to fight two major wars in Asia. In addition, it was considered necessary to wage a relentless cold war against Communist expansion wherever it appeared in the "back alleys of the world." This called for a full range of clandestine activities in response to the operations of Communist clandestine services.

The fear of expanding Communism was particularly acute when Fidel Castro emerged as the leader of Cuba in the late 1950's. His takeover was seen as the first significant penetration by the Communists into the Western Hemisphere. U.S. leaders, including

most Members of Congress, called for vigorous action to stem the Communist infection in this hemisphere. These policies rested on widespread popular support and encouragement.

Throughout this period, the U.S. felt impelled to respond to threats which were, or seemed to be, skirmishes in a global Cold War against Communism. Castro's Cuba raised the spectre of a Soviet outpost at America's doorstep. Events in the Dominican Republic appeared to offer more such opportunities for the Russians and their allies. The Congo, freed from Belgian rule, occupied the strategic center of the African continent, and the prospect of Communist penetration there was viewed as a threat to American interests in emerging Africa. Americans are well aware of the powerful reactions set off in the United States in the 1960's by the domino theory in Indochina. And, even the election in 1970 of a Marxist president in Chile was seen by some as a threat similar to that of Castro's takeover in Cuba.

The Committee regards the unfortunate events dealt with in this Interim Report as an aberration, explainable at least in part, but not justified, by the pressure of events at the time. The Committee believes that it is still in the national interest of the United States to do what it can to help nations resist Communist domination, but it is clear that this cannot justify in the future the kind of abuses covered in this report. Indeed, the Committee has resolved that steps must be taken to prevent them from happening again.

do what they can FOR SELF-DETERMINATION

Agreed to by Drafting Subcommittee
on August 27, 1975*

I. INTRODUCTION AND SUMMARY

This interim report covers allegations of United States involvement in assassination plots against foreign political leaders. Of equal significance in this report are certain other cases where foreign political leaders in fact were killed, where the United States was in some manner involved in activity leading up to the killing, but where it would be incorrect to say that the purpose of United States involvement had been to encourage assassination.

The evidence establishes that the United States was implicated in several assassination plots. The Committee believes that the use of assassination as a tool of foreign policy is incompatible with American principles, international order, and morality. It should be rejected.

Our inquiry also revealed serious problems with respect to United States involvement in coups directed against foreign governments. Some of these problems are addressed here on the basis of our investigation to date; others we raise as questions to be answered after our investigation into covert action has been completed.

We stress the interim nature of this report. In the course of the Committee's continuing work, other alleged assassination plots may surface, and new evidence concerning the cases covered herein may come to light. However, it is the Committee's view that the cases covered herein have been developed in sufficient detail to clarify the issues which are at the heart of the Committee's mandate to recommend legislative and other reforms relating to the vital matters discussed below.

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* The Vice Chairman reserved as to the first sentence in the discussion of the similarities and differences among the plots. (See p.

In depth treatment of the assassination question has lengthened the Committee's schedule but has greatly increased the Committee's awareness of the hard issues it must face in the months ahead. The Committee intends, nevertheless, to complete, by February 1976, its main job of undertaking the first comprehensive review of the intelligence community.

A. The Committee's Mandate

Under Senate Resolution 21, the Committee was instructed to investigate the full range of governmental intelligence activities and the extent, if any, to which such activities were "illegal, improper or unethical". In addition to that very broad general mandate, the Committee was required by the Senate to investigate, study and make recommendations concerning various specific matters, several of which relate to the assassination issue.*

Although the Rockefeller Commission conducted an inquiry into reported assassination plots, the Commission declared it was unable, for a variety of reasons, to complete its inquiry. At the direction of the President, the Executive Branch turned over to the Select Committee the work the Commission had done, along with other documents relating to assassinations.

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* For example, S. Res. 21 requires the Committee to study and investigate the following:

> the extent and necessity of . . . covert intelligence activities . . . abroad";
>
> "[the] nature and extent of executive branch oversight of all United States intelligence activities";
>
> "the need for improved, strengthened, or consolidated oversight of United States intelligence activities by the Congress"; and the need for new legislation.

B. Committee Decision To Make This Report Public

This report raises important questions of national policy. We believe that the public is entitled to know what certain instrumentalities of their Government have done. Further, our recommendations can only be judged in light of the factual record. Therefore, this interim report should be made public.

Because of our faith in the democratic system, and the paramount importance of strengthening the institutions of this country, the Committee believes the truth about the assassination allegations should be told. Democracy depends upon a well-informed electorate. Truth underlies both justice and freedom.

We reject any contention that the facts disclosed herein should be kept secret because they are embarrassing to the United States. Despite the possible injury to our national reputation, the Committee believes that foreign peoples will, upon sober reflection, respect the United States more for keeping faith with its democratic ideal than they will condemn us for the misconduct itself.

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The fact that portions of the story have already been publicly disclosed only accentuates the need for full disclosure. Innuendo and misleading partial disclosures are neither fair to the individuals involved, nor a responsible way to lay the groundwork for informed public policy judgments.

C. The Scope of the Committee's Investigation

The investigation of the assassination issue has been an unpleasant duty, but one that the Select Committee had to meet. The Committee has compiled a massive record in the months that the inquiry has been underway.

The hearing record includes some _______ pages of sworn testimony from ___ witnesses*during ____ hearing days as well as numerous staff interviews. The documents which the Committee obtained included raw files from the agencies and departments, from the White House, and from the Presidential libraries of the Administrations of former Presidents Eisenhower, Kennedy Kennedy and Johnson.**

We obtained evidence of two general types: first, evidence which related to the overall setting of events, the national policy of the time, and descriptions of normal operating procedures including channels of command and control; and second, evidence relating to specific events.

A Senate Committee is not a court. It looks to the past, not to determine guilt or innocence, but in order to make recommendations for the future. Therefore, where we found the evidence to be ambiguous--as we did on some issues--we have set out both sides, in order that the evidence may speak for itself.

Despite the number of witnesses and documents examined by the Committee, there were the following shortcomings in the evidence available to us:

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* The names of the witnesses are set forth in Appendix A.

** The Committee served both general and specific document requests upon the Executive Branch and the Administration represented to the Committee that it did not know of any additional relevant documents, except, of course, for the possibility that the "Nixon papers" (which the Committee is attempting to obtain) may contain material relevant to the allegations relating to Chile.

Many of the events under consideration occurred as long as fifteen years ago. With one exception, they occurred during the administrations of Presidents now dead. Other high officials, whose testimony might have additional light upon the thorny issues of authorization and control, are also dead. Moreover, with the passage of time, the memories of those still alive have dimmed.

The Committee often faced the difficult task of distinguishing refreshed recollection from speculation. In many instances, witnesses were unable to testify from independent recollection and had to rely on documents contemporaneous with the events to refresh their recollections. While informed speculation is of some assistance, it can only be assigned limited weight in judging specific events.

Assassination is not a subject on which one would expect many records or documents to be made or retained. In fact, there were more relevant contemporaneous documents then we had expected, and the CIA in 1967 made internal study of the Castro, Trujillo and Diem assassination allegations. That study was quite useful, particularly in suggesting leads for uncovering the story of the actual assassination activity. Unfortunately, some material

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* Those studies were made at the direction of CIA Director Richard Helms to provide him with information to respond to questions put to him by President Johnson. The President's questions, as to Castro, were provoked by a Drew Pearson newspaper column of March [6], 1967, which had alleged CIA attempts on the life of Castro using the Mafia.

The President asked Helms at the same time to provide information about Trujillo and Diem.

relating to that investigation was destroyed upon its completion.*

A final deficiency in the evidence stems from the doctrine that CIA covert operations should be concealed from the world and performed in such a way that if they were discovered, the role of the United States could be plausibly denied. As an extension of this doctrine of "plausible deniability" communications between the Agency and high Administration officials were often convoluted and imprecise.**

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The evidence contains sharp conflicts, some of which relate to basic facts. But the most important conflicts relate not so much to basic facts as to differing perceptions and opinions based upon relatively undisputed facts.

With respect to both kinds of conflicts, the Committee has attempted to set forth the evidence extensively so that it may speak for itself. In the findings and conclusions section, we suggest resolutions of some of the conflicts. Remembering that the Committee's main job is to find lessons for the future, there are also occasions where we point out that resolving conflicts in the evidence may be less important than making certain that the system which produced the ambiguities is corrected.

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* This was done pursuant to the instructions of CIA Director Richard Helms (Helms Ex.___; 6/13/75 Tr.__). In fairness to Director Helms it should be added, however, that he was responsible for requesting the preparation of the I.G. Reports and for preserving them.

** For a full discussion of this doctrine see pages

D. Summary of Findings and Conclusions

1. The Questions Presented

The Committee sought to answer four broad questions:

ASSASSINATION PLOTS. Did U.S. officials instigate, attempt, aid and abet, or acquiesce in plots designed to assassinate foreign leaders?

INVOLVEMENT IN OTHER KILLINGS. Did U.S. officials assist foreign dissidents in a way which significantly contributed to the killing of foreign leaders?

AUTHORIZATION. Where there was involvement by U.S. officials in assassination plots or other killings, were such activities ordered and if so, at what levels of our Government?

COMMUNICATION AND CONTROL. Even if not authorized, were the assassination activities perceived to be within the scope of agency authority, and was adequate control exercised over its activities.

2. Summary of Findings and Conclusions on the Plots

The Seven Allegations. The Committee investigated alleged U.S. involvement in assassination plots in five foreign countries.* They were:

Country	Individual Involved**
Cuba	Fidel Castro
Congo (Zaire)	Patrice Lumumba

* Insert Footnote on Sukarno and Duvalier.

** Insert re Raul and Che and Ngo Dinh Nhu.

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Country	Individual Involved
Dominican Republic	Rafael Trujillo
Chile	General Rene Schneider
South Vietnam	Ngo Dinh Diem

In summary, the evidence with respect to each allegation disclosed the following.*

Fidel Castro (Cuba). United States Government personnel plotted to kill Castro beginning in 1960. American underworld figures were used in these plots as well as Cubans hostile to the Castro regime. One of the later plots, which lasted until 1965, involved a Cuban dissident who was provided encouragement and material support by the United States.

Patrice Lumumba (Congo/Zaire). In the Fall of 1960, two CIA officials were asked by superiors to assassinate Lumumba. Poisons were sent to the Congo and some exploratory steps were taken toward gaining access to Lumumba. Subsequently, in early 1961, Lumumba was killed by Congolese rivals. It does not appear from the evidence that ~~the United~~ States was involved in the actual killing. —CALLED OFF!

Rafael Trujillo (Dominican Republic). Trujillo was shot by Dominican dissidents on May 31, 1961. Commencing in 1960 and continuing to the time of the assassination, the U.S. Government generally supported these dissidents and some Government personnel were aware that they intended to kill Trujillo. Three pistols and three carbines were furnished by American officials, although a request for machine guns was later refused. There was conflicting evidence whether the weapons were knowingly supplied for use in the assassination and whether any were present at the scene.

* See Section III for a detailed treatment of the evidence.

General Rene Schneider (Chile). On October 25, 1970, General Schneider died of gunshot wounds inflicted while resisting a kidnap attempt three days earlier. Schneider, as Commander in Chief of the Army and a constitutionalist opposed to military coups, was considered an obstacle to efforts to prevent Salvador Allende from assuming the office of President of Chile. The United States Government supported, and sought to instigate, a military coup to block Allende. U.S. officials supplied financial aid, machine guns and other equipment to various military figures who opposed Allende. There was conflicting evidence on whether the United States had previously severed relations with the group that kidnapped and killed Schneider and on whether any of the equipment supplied was actually used in the kidnapping.

HAVE TO BE CLEARER.

Ngo Dinh Diem (South Vietnam). Diem and his brother, Nhu, were killed on November 2, 1963, in the course of a South Vietnamese Generals' coup. Although the United States Government supported the coup, there was no evidence that American officials favored the assassination. Indeed, it appeared that the assassination of Diem was not part of the Generals' pre-coup planning but was instead a spontaneous act which occurred during the coup and with which there was no American connection.

In addition to these five cases the Committee received evidence that ranking government officials discussed, and may have authorized, the establishment within the CIA of a generalized capability to assassinate.

Similarities and Differences Among the Plots. The plots all involved Third World countries, most of which were relatively small and none of which possessed great political or military strength. Apart from that similarity, there were significant differences among the plots. The following distinctions are pertinent:

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(1) Whether United States officials initiated the plot or were responding to requests of local dissidents for aid.

(2) Whether the plot was specifically intended to kill a foreign leader, or whether the leader's death was a reasonably foreseeable consequence of an attempt to overthrow the government.

The Castro case is an example of a plot conceived by United States officials to kill a foreign leader. The Lumumba plot falls into the same category.

In the case of Trujillo, although the U. S. Government certainly opposed his regime, it did not initiate the plot. Rather, United States officials responded to requests for aid from local dissidents whose aim clearly was to assassinate Trujillo. By aiding them this country was implicated, whether the specific weaponry actually supplied was meant to kill Trujillo or was only intended as a symbol of U.S. support for the dissidents.

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The Schneider case is different from that of both Castro and Trujillo. The United States Government sought a coup and provided support to local dissidents, knowing they believed that General Schneider was an obstacle to their plans. However, even though the support included deadly weapons, it appears that the intention of both the dissidents and the United States officials was to abduct, not to kill, General Schneider. Similarly, in the Diem case, United States officials did want a change in Government, but there is no evidence that the United States sought the death of Diem himself.

3. <u>Summary of Findings and Conclusions on the Issues of Authority and Control</u>.

To put the inquiry into assassination allegations in context, two

points must be made clear. First, there is no doubt that the United States Government opposed the various leaders in question. U.S. officials at the highest levels objected to the Castro and Trujillo regimes, believed the accession of Allende to power in Chile would be harmful to American interests, and thought of Lumumba as a dangerous force in the heart of Africa. Second, the evidence on assassinations has to be viewed in the context of other, more massive activities directed against the regimes in question. For example, the plots directed against Fidel Castro personally, cannot be understood without considering the fully authorized, comprehensive, assaults upon his regime, such as the Bay of Pigs invasion in 1961 and Operation Mongoose in 1962.

However, the issue of Governmental authorization of assassination is of independent importance. There is a significant difference between a coldblooded, targeted, intentional killing of an individual foreign leader and other forms of intervention in the affairs of foreign nations. Therefore, the Committee endeavored to explore as fully as possible the question of how and why the plots happened, whether they were authorized, and if so, from what level the authorization came.

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We discovered a murky picture. It is not clear whether this is due to the system of deniability and the consequent state of the evidence which even after our long investigation remains conflicting and inconclusive, or whether there were in fact serious shortcomings in the system of authorization so that activities such as assassinations could have been undertaken by an agency of the United States Government without express authority.

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Based upon the record of our investigation, the Committee's single most important finding is that the system was such that assassination activity could have been undertaken by an agency of the United States Government without it having been uncontrovertibly clear that there was explicit authorization from the highest level.

Along with that paramount conclusion, the Committee makes four other major findings.* The first relates to the lack of direct evidence of authorization of the assassination plots by Presidents or other persons above the Governmental agency or agencies involved. The second explains why certain officials may have, nonetheless, perceived that, according to their judgment and experience, assassination was an acceptable course of action. The third criticizes agency officials for failing on several occasions to reveal their plans and activities to superior authorities, or for failing to do so with sufficient detail and clarity. The fourth criticizes Administration officials for, on occasion, giving vague and indirect instructions to subordinates, and for not making sufficiently clear that assassination should be excluded from consideration. assumes that that was intention

There is admittedly a tension within the four findings. The first and third points tend to suggest a lack of authority while the second and fourth points explain why agency officials could nonetheless have perceived that their actions were proper. This tension reflects a basic conflict in the evidence. While there are some conflicts over facts, it is more important that there may often have been two differing perceptions of the same facts. This distinction may be the result of the differing backgrounds and experience of those persons experienced in covert operations as distinguished

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* The Committee's findings are elaborated in Section , *infra*.

from those who were not. Words of urgency which to the former may have meant killing, to the latter may have meant nothing of the sort.

While we are critical of certain individual actions, the Committee is mindful of the inherent problems in a system which relies upon secrecy, compartmentation, circumlocution, and the avoidance of clear responsibility. This sytem creates the risk of confusion and rashness in the very areas where clarity and sober judgment are most necessary. Hence, before turning to an extensive review of the evidence relating to the cases, we briefly deal with the general subject of covert action during the relevant period.

Agreed to by Drafting Subcommittee on August 28, 1975

II. COVERT ACTION AS VEHICLE FOR FOREIGN POLICY IMPLEMENTATION

Simply stated, covert action may be defined as activity which supports the sponsoring nation's foreign policy objectives but is concealed under circumstances permitting that nation to plausibly deny its actions.

The National Security Act of 1947 did not specifically include authority for covert operations. However, it granted to the National Security Council, then created as an instrument of the President, the authority to direct the CIA to "perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct." Thereafter, at its first meeting in December 1947, the National Security Council issued a top secret directive granting the CIA the authority to conduct covert operations. From 1955 to 1970, the basic authority for these operations was National Security Council 5412/2.*

This directive framed the purposes of covert operations entirely in terms of opposition to "International Communism,"** directing the CIA to counter, reduce and discredit "International Communism" throughout the world in a manner consistent with U. S. foreign and military policies. It also directed the CIA to undertake covert operations to achieve this end, and defined covert operations as any covert activities related to

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* Today the basic authority for CIA covert action operations is National Security Decision Memorandum 40, which superceded NSC 5412/2 on February 17, 1970.

** By contrast, NSAM 40 of 1970 described covert actions as those secret activities designed to further official U. S. programs and policies abroad. It made no reference to communism.

propaganda, economic warfare, political action (including sabotage, demolition and assistance to resistance movements) and all activities compatible with the directive (emphasis supplied). In 1962, the CIA's General Counsel rendered the opinion that the Agency's activities are "not inhibited by any limitations other than those broadly set forth in NSC 5412/2." (CIA General Counsel Memorandum 4/6/62)

POLICY DEVELOPMENT AND APPROVAL MECHANISM

The evidence dealt with in Part III is concerned with what actually happened as far as obtaining, or not obtaining, authorization for the activities under review by the Committee. With respect to what was meant to happen in regard to covert action generally, the CIA's General Counsel stated in 1962:

> CIA must necessarily be responsible for planning. Occasionally suggestions for action will come from outside sources but, to depend entirely on such requirements would be an evasion of the Agency's responsibilities. Also, the average person, both in government and outside, is thinking along normal lines and to develop clandestine cold war activities properly, persons knowing both the capabilities and limitations of clandestine action must be studying and devising how such actions can be undertaken effectively.

With respect to policy approval, the General Counsel went on to say:

> Both in developing ideas or plans for action it is incumbent upon the Agency to obtain necessary policy approval, and for this purpose these matters should be explored with proper officials in other departments and agencies, particularly in the Departments of State and Defense, so the determination can be made as to whether any one proposal should go to the Special Group or higher for policy determination.

The General Counsel's 1962 memorandum made it clear that the CIA considered itself responsible for developing proposals and plans to

implement the specific objectives of NSC 5412/2. At the same time, however, the memorandum stated that even in the development of ideas or plans for action, it was incumbent upon the Agency not only to coordinate with other executive departments and agencies, but also to "obtain necessary policy approval" (emphasis added). The issue which faced the Committee, of course, was whether such approval was, in fact, sought and obtained for assassination plans, and whether CIA officials thought it was "necessary" to obtain express approval for these activities.

Beginning in 1955, the responsibility for authorizing CIA covert action operations rested in the Special Group, a sub-Cabinet level subcommittee of the National Security Council composed of the President's Assistant for National Security Affairs, the Director of Central Intelligence, the Deputy Secretary of Defense and the Under Secretary of State for Political Affairs. Today this group is known as the 40 Committee, and its membership now includes the Chairman of the Joint Chiefs of Staffs. In addition, during 1962 another subcommittee of the NSC was established to oversee covert operations relating to Cuba. It was known as the Special Group (Augmented) and was composed of the members of the Special Group, the Attorney General and certain other high officials.

The overriding purpose of the Special Group and its successors has been to exercise control over covert operations abroad. The Special Group was charged with the responsibility of considering the objectives of any proposed activity, whether or not it would accomplish these aims, how likely it would be to succeed, and in general whether or not it would be "proper" and in the American interest. The Special Group Chairman usually was responsible for determining which projects required Presidential consideration, as well as keeping him abreast of progress or changes.

The foregoing should not be taken to imply that the procedures always have been clear and tidy, nor that they have always been followed. Prior to 1955, formal procedures barely existed at all. In 1955 the Special Group procedures were made more formal. Nevertheless, the procedures that were followed during the period of 1959-63 were characterized by an internal CIA memorandum as "somewhat cloudy and thus can probably be described as having been based on value judgments by the DCI." (Memorandum for the Record, C/CA/PEG, "Policy Coordination of CIA's Covert Action Operations," 21 February 1967)

In addition to the "somewhat cloudy" nature of the formal procedures themselves, there are other options available to any Chief Executive. The Committee recognizes that an agency charter to plan covert action could not preempt Presidential authority to develop and mandate foreign policy. Similarly, it is equally clear that what may be represented as the "desire" of a President is often communicated by intermediary officials whose perceptions may or may not accurately reflect the true Presidential purpose. Obviously, formal procedures can be disregarded from above or below. In at least one case, for example, a President instructed CIA officials not to consult with the Special Group or other departments. In at least one other case, Agency officials decided not to bring matters to the attention of the Special Group. It should also be noted that all of the above procedures apply to activities labeled "covert action" whereas some of the activities considered in this report were treated as "counter-intelligence" actions. Such actions are not normally subject to 40 Committee-type interdepartmental authorization and review.

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The Concept of "Plausible Deniability"

Non-attribution for U. S. Government covert operations was the original and principal purpose of the so-called doctrine of plausible denial.

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Evidence before the Committee clearly demonstrates that this concept, designed to protect the U. S. and its operatives from the consequences of disclosures, has been significantly expanded to: (1) mask not only Presidential decisions but those of his senior staffers; (2) support less than complete advice to such persons regarding these operations.

The quest for "plausible denial" has shaped the processes of the U. S. Government for approving and evaluating covert actions. The 40 Committee and its predecessors can serve as "circuit breakers" for a President, placing the locus of consideration of covert action at several removes from the Oval office. One consequence of the doctrine of plausible denial is an incomplete documentary record.

The quest for "plausible denial" has also led to the use of certain techniques, including euphemism and circumlocution. These techniques have had as their purpose the objective of allowing the President and other senior officials to deny knowledge of an operation should it be disclosed. In addition, the use of indirect reference to inform a President could be reversed--a President could communicate his desire to see a highly sensitive operation undertaken in a similar indirect, circumlocutious manner. Whether, at times circumlocution had the affect of failing to let Presidents or other officials accurately understand what was being said, was a question faced by the Committee.

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"Plausible deniability" raises a number of other issues which the Committee has had to confront. Differing interpretations of the practice of plausible denial has affected the extent to which sensitive matters were raised or considered. The evidence discussed below revealed that very serious problems of assessing and insuring accountability and control can arise out of plausible deniability.

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B. Cuba

We have divided the facts with respect to Cuba into three broad sections.

The first discusses the plots against Fidel Castro's life without attempting to confront the question of authorization.

The second deals with the evidence concerning whether or not the successive Directors of Central Intelligence, Allen Dulles and John McCone, authorized or knew about the various plots. (Although we have organizationally divided the evidence relating to the DCI's from the proof relating to other high administration officials, it is important to remember that the Director of Central Intelligence is the principal advisor to the President on intelligence matters, a member of major administrative policy-making councils as well as head of the Central Intelligence Agency.)

The third section covers the evidence concerning whether or not other high officials--including the various Presidents--authorized or knew about the plots. This section also considers the evidence relating to whether or not the CIA officials who were involved with the plots believed them to be consistent with the general policy objectives of the various administrations even if they had no personal knowledge as to whether the plots were or were not specifically authorized by higher authority.

1. The Assassination Plots Themselves

We have found concrete evidence of at least eight plots involving the CIA to assassinate Fidel Castro from 1960 to 1965. Although some of the assassination plots did not advance beyond the stage of planning and preparation, one plot involving the use of underworld figures reportedly twice progressed to the point of sending poison pills to Cuba and dispatching teams to commit the deed. Another plot involved furnishing weapons and other assassination devices to a Cuban dissident. The assassination proposals ran the gamut from high-powered rifles to poison pills, poison pens, deadly bacterial powders, and other devices which would strain ~~the~~ imagination~~.~~

The most ironic of these plots took place on November 22, 1963--the very day that President Kennedy was shot in Dallas--when a CIA official in Paris offered a poison pen to a Cuban for use against Castro while at the same time an emissary from President Kennedy was meeting with Castro to explore the possibility of improved relations.

The following narrative sets forth the facts of assassination plots against Castro as established before the Committee by witnesses and documentary evidence. The question of the level and degree of authorization of the plots is considered in the sections that follow.

(a) Plots: Early 1960

(1) Plots to Destroy Castro's Public Image

Efforts against Castro did not begin with assassination attempts.

From March through August 1960, during the last year of the Eisenhower Administration, the CIA considered plans to undermine Castro's charismatic appeal by sabotaging his speeches. According to the Inspector General's Report, an official in the Technical Services Division (TSD) recalled discussing a scheme to spray Castro's broadcasting studio with a chemical which produced effects similar to LSD, but rejected the scheme because the chemical was not reliable. During this period, TSD impregnated a box of cigars with a chemical which produced temporary disorientation, hoping to induce Castro to smoke one of the cigars before delivering a speech. The Inspector General also reported a plan to destroy Castro's image as "The Beard" by dusting his shoes with thallium salts, a strong depilatory that would cause his beard to fall out. The chemical was to be administered during a trip outside of Cuba, in which it was anticipated Castro would leave his shoes outside the door of his hotel room to be shined. TSD procured the chemical and tested it on animals, but apparently abandoned the scheme because Castro cancelled his trip. (I.G., pp. 10-13.)

(2) Proposal to Sabotage Flight

The first proposed action against the life of a Cuban leader sponsored by the CIA of which the Committee is aware took place in July 1960. On July 18, 1960, a Cuban airline

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pilot who had volunteered to assist the CIA in gathering intelligence informed his case officer in Havana that he would probably be chosen to fly to Prague on July 21 to return Raul Castro to Cuba (Memo to I.G., 1/17/75). On July 20 the pilot confirmed that he would definitely fly the plane. CIA Headquarters and field stations along the route were requested to inform the Havana Station of any intelligence needs that the pilot might fulfill. The case officer testified that he and the pilot contemplated only acquiring information about Czechoslovakia and Raul Castro, and that assassination was not considered.*

The cable from the Havana Station was received at Headquarters on the night of July 20. The duty officer, who was summoned to Headquarters from his home, contacted Tracy Barnes, Deputy to DDP Richard Bissell, and J.C. King, Chief of the Western Hemisphere Division.** Following their instructions, he sent a cable to the Havana Station early in the morning of July 21, stating: "Possible removal top three leaders is receiving serious consideration at HQS." The cable inquired whether the pilot was sufficiently motivated to risk "arranging an accident during return trip" and

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* A cable to Headquarters requesting any intelligence needs supports this account.

** The duty officer testified that he must have spoken with King because he would not otherwise have signed the cable "by direction, J.S. King". (Duty Officer, p. 16) He also would "very definitely" have read the cable to Barnes before sending it, because "Barnes was the man to whom we went . . . for our authority and for work connected with the Cuban Project." (Duty Officer, pp. 4, 25) Since King at that time was giving only "nominal attention" to Cuban affairs, the officer concluded that a proposal of the gravity of an assassination could only have "come from Mr. Barnes". (Duty Officer, p. 24)

advised that the station could "at discretion contact subject to determine willingness to cooperate and his suggestions on details". Ten thousand dollars was authorized as payment "after successful completion", but no advance payment was permitted because of the possibility that the pilot was a double agent. According to the case officer, this cable represented "quite a departure from the conventional activities we'd been asked to handle". (Case Officer interview, 8/4/75, p. 2)*

The case officer contacted the pilot and told him of the proposal while accompanying him to the airport for the flight. The case officer avoided the word "assassinate", but made it clear that the CIA contemplated an "accident to neutralize this leader's (Raul's) influence". (Case Officer interview, p. 2) After being assured that his sons would be given a college education in the event of his death, the pilot agreed to take a "calculated risk", limited to possibilities that might pass as accidental.** (Cable, Havana to Director, 7/22/70)

Immediately after returning to the station the case officer was told that a cable had just arrived stating: "Do not

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* The duty officer remembered the cable and some of the surrounding facts for precisely that reason: "[I]t was an unusual type of [cable], and I say this because I can remember it 15 years later." (Duty Officer, p. 14) The case officer recalled that when he saw the cable, he "swallowed hard". (Case Officer interview, p. 3)

** The cable from Havana to Headquarters stated that the pilot was willing to risk: "A. Engine burnout on takeoff to delay or harrass trip: B. Vague possibility water ditching approximately three hours out from Cuba."

pursue ref. Would like to drop matter." (Cable, Director to Havana, 7/22/60; Memo to I.G., 1/17/75)* It was, of course, too late to "drop the matter" since the plane had already departed. When the Cuban pilot returned, he told the case officer that he had not had an opportunity to arrange an accident.

(3) Poison Cigars

A notation in the records of the Chief, Operations Div., Office of Medical Services indicates that on August 16, 1960, he was given a box of Castro's favorite cigars with instructions to treat them with a lethal poison (I.G., p. 21). The cigars were contaminated with a botulinum toxin so potent that a person would die after putting one in his mouth (I.G., p. 22). The Chief reported that the cigars were ready on October 7, 1960; TSD notes indicate that they were delivered to an unidentified person on February 13, 1961 (I.G., p. 22). The record does not disclose whether an attempt was made to pass the cigars to Castro.

(b) Use of Underworld Figures--Phase I

(1) The Initial Plan

In August 1960, the CIA took steps to enlist the aid of members of the criminal underworld with gambling

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* This cable was signed by Tracy Barnes (Duty Officer, p. 28) The duty officer recalled seeing this cable, and testified that he had heard that Allen Dulles had countermanded the cable authorizing the possible assassination attempt against Raul Castro. (Duty Officer, pp. 29-30) The reasons for Dulles' action are discussed infra at .

syndicate contacts to assassinate Castro. The earliest evidence of the operation is a conversation between Deputy Director of Plans (DDP) Richard Bissell and Colonel Sheffield Edwards, Chief of the Office of Security. Edwards recalled that Bissell asked him to locate someone who could assassinate Castro (Edwards, pp. 2-3). Bissell confirmed that he requested Edwards to find someone to assassinate Castro, and believed that Edwards raised the idea of contacting members of a gambling syndicate operating in Cuba* (Bissell, 6/9, pp. 71-73). Edwards assigned the mission to James P. O'Connell, Chief of the Operational Support Division of the CIA's Office of Security, explaining that he and Bissell were looking for someone to "eliminate" or "assassinate" Castro (O'Connell, pp. 6-8, 95-96).

Edwards and O'Connell decided to rely on Robert A. Maheu to recruit someone "tough enough" to handle the job (O'Connell, p. 8). Maheu was an ex-FBI agent who had entered into a career as a private investigator in 1954. Robert Cunningham, a former FBI associate of Maheu's who was employed in the CIA's Office of Security, had arranged for the CIA to use Maheu in

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* Although Castro closed the gambling casinos in Cuba when he first came to power, they were reopened for use by foreign tourists in late February 1959, and remained open until late September 1961.

several sensitive covert operations in which "he didn't want to have an Agency person or a government person get caught"* (O'Connell, p. 158). Maheu was initially paid a monthly retainer by the CIA of $500, which was terminated after his practice became more lucrative (O'Connell, pp. 13-14; I.G., p. 15). O'Connell had served as Maheu's case officer since the Agency first began using Maheu's services, and by 1960 they had become close personal friends (Maheu, p. 6).

Sometime in late August or early September 1960, O'Connell approached Maheu about the proposed operation (O'Connell, p. 9; Maheu, 7/29, p. 6). As Maheu recalls the conversation, O'Connell asked him to contact John Roselli, an underworld figure with possible gambling contacts in Las Vegas, to determine if he

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* During 1954-1955, Maheu cooperated with the CIA in attempting to undermine Aristotle Onassis' contract with the Saudi Arabian government that would have given Onassis virtually complete control over shipping of oil from Saudi Arabia. Although he was employed by Onassis' competitor, Niarchos, Maheu worked closely with the CIA. He testified that he contracted for a listening device to be placed on Onassis' room in New York after first consulting with the Agency, and that he provided the impetus for the termination of the contract by publicizing its terms in a newspaper in Rome that he said he purchased with CIA funds. (Maheu, 7/30/75, pp. 14-25.)

O'Connell testified that Maheu, at the CIA's request had also previously arranged for the production of a film in Hollywood depicting a foreign leader with a woman in the Soviet Union. The CIA planned to circulate the film, representing it to have been produced, but not released (O'Connell, pp. 159, 162-163). Maheu testified that he had located an actor resembling the leader and had arranged for the production of the film (Maheu, 7/30/75, pp. 39-42).

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would participate in a plan to "dispose" of Castro* (Maheu, 7/29, p. 8). Maheu had known Roselli since the late 1950's (Maheu, 7/29, pp. 58-60). Although Maheu claims not to have been aware of the extent of Roselli's underworld connections and activities, he recalled that

> "it was certainly evident to me that he was able to accomplish things in Las Vegas when nobody else seemed to get the same kind of attention" (Maheu, 7/29, p. 60).

O'Connell had previously met Roselli at Maheu's home (Maheu, 7/29, p. 8). O'Connell and Maheu each claimed that the other had raised the idea of using Roselli, and Maheu said O'Connell was aware that Roselli had contacts with the gambling syndicate — did O'Connell testify (Maheu, 7/29, p. 8; O'Connell, pp. 15-16).

Maheu was at first reluctant to become involved in the operation because it might interfere with his relationship with his new client, Howard Hughes. He finally agreed because he felt that he owed the Agency a commitment (O'Connell, pp. 12-13, 103). O'Connell recalled that Maheu was to approach Roselli using a cover story that he represented business firms suffering heavy financial losses caused by Castro's actions** (O'Connell, p. 16). O'Connell testified that Maheu was told to offer money,

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* Maheu testified that he was told that the plan to assassinate Castro was one phase of a larger project to invade Cuba (Maheu, pp. 7, 13, 47).

** Roselli testified that the story was developed later and used as a mutual "cover" by O'Connell, Maheu, and Roselli in dealing with Cubans recruited for the project (Roselli, pp. 16-17).

probably $150,000, for Castro's assassination* (O'Connell, pp. 16, 111; Memorandum, Osborn to DCI, 6/24/66).

(2) Contact With The Syndicate

In early September 1960, Maheu met Roselli at the Brown Derby in Beverly Hills, told him that "high government officials" needed his cooperation in getting rid of Castro, and asked him to help recurit Cubans to do the job (Roselli, p. 8). Maheu recalled that Roselli was at first reluctant to participate in the project and insisted on meeting with a representative of the government (Maheu, 7/29, pp. 10-11; Roselli, p. 9). A meeting with O'Connell was arranged in New York City at the Plaza Hotel during the week of September 14, 1960 (Roselli, pp. 10-11; I.G., p. 16). O'Connell testified that he was introduced to Roselli as a business associate of Maheu, and that Maheu told Roselli that he represented international business interests which were pooling money to pay for the assassination of Castro (O'Connell, p. 26). Roselli claimed that Maheu told him at that time that O'Connell was with the CIA** (Roselli, pp. 11, 85).

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* The I.G. Report places the amount at $150,000; O'Connell thought it might have been $100,000 (O'Connell, p. 16), Roselli recalled $250,000 (Roselli, p. 25) and Edwards confirmed the $150,000 figure (Edwards, p. 9). Maheu could recall no "price tag" for Castro's assassination (Maheu, p. 34).

** The weight of the testimony indicates that Roselli realized the CIA was behind the assassination attempt at an early stage.

It was arranged that Roselli would go to Florida and recruit Cubans for the operation (Roselli, pp. 11-12). Edwards informed Bissell that contact had been made with the gambling syndicate (Bissell, 6/9, pp. 20-21; I.G., p. 17).

During the week of September 24, 1960, O'Connell, Maheu, and Roselli met in Miami to work out the details of the operation (O'Connell, pp. 25-26; Roselli, p. 12; I.G., p. 18). Roselli used the cover name of "John Rawlston" and represented himself to the Cuban contacts as an agent of

> "some business interests of Wall Street that had . . . nickel interests and properties around in Cuba, and I was getting financial assistance from them" (Roselli, pp. 9, 17).

Maheu handled the details of setting up the operation and keeping O'Connell informed of developments. After they had been in Miami for a short time, and certainly prior to October 18,* Roselli introduced Maheu to two indivi-

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Maheu substantially confirmed his account (Maheu, p. 111). O'Connell recalled that about three weeks after the New York meeting, Roselli told him, "I am not kidding, I know who you work for." (O'Connell, p. 26.)

* Maheu recalls that he first met "Sam Gold" (Giancana) after November , 1960, when he was staying at the Fountainbleu Hotel (Maheu, p. 17). Other evidence indicates that the meeting took place earlier. When they first went to Miami, Maheu and Roselli stayed at the Kennilworth Hotel (Maheu, pp. 15-16); FBI records reveal that Maheu and Roselli (alias J. A. Rollins) were registered at the Kennilworth from October 11-30 (File R-505, FBI summary, p. 10). Giancana must have been involved in the operation during the October period at the Kennilworth because (1) the wiretap of Rowan's apartment, discussed *infra*, was made on October 30; (2) on October 18, the FBI sent a memorandum to Bissell stating that Giancana had been telling several people that he was involved in an assassination attempt against Castro (see *infra*, p.).

duals on whom he intended to rely: "Sam Gold", who would serve as a "back-up man" (Roselli, p. 15), or "Key" man (Maheu, p. 17), and "Joe", whom "Gold" said would serve as a courier to Cuba and make arrangements there (I.G., p. 19). O'Connell, who was using the name "Jim Olds", met "Sam" and "Joe" only briefly (O'Connell, pp. 26-29).

O'Connell testified that he learned the true identities of his associates one morning when Maheu called and asked him to examine the "Parade" supplement to the Miami Times.* An article on the Attorney General's ten-most-wanted criminals list revealed that "Sam Gold" was Mom Salvatore Giancana, a Chicago-based gangster,** and "Joe" was Santos Trafficante, the Cosa Nostra chieftain in Cuba≠ (O'Connell, pp. 28-30; I.G., p. 19). O'Connell reported his discovery to Edwards (O'Connell, pp. 31, 33) but did not know whether Edwards reported this fact to his superiors (O'Connell, pp. 32, 41). O'Connell testified that this incident occurred after "we were in this thing up to our ears", a month or so after

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* A search of supplements to all Miami papers during this period did not reveal the article described by O'Connell.

** Sam Giancana was murdered in his home on June 20, 1975.

≠ Trafficante made regular trips between Miami and Cuba on gambling syndicate business (I.G., pp. 19-20).

Giancana had been brought into the operation, but prior to giving the poison pills to Roselli (O'Connell, pp. 30, 44). cryptic - not really introduce

Maheu recalled that it was Giancana's job to locate someone in Castro's entourage who could accomplish the assassination (Maheu, p. 19), and that he met almost daily with Giancana over a substantial period of time (Maheu, p. 18). Although Maheu described Giancana as playing a "key role" (Maheu, p. 34), Roselli claimed that none of the Cubans eventually used in the operation were acquired through Giancana's contacts (Roselli, p. 15).

(3) Rowan Wiretap Incident

In late October 1960, Maheu arranged for a Florida investigator, Edward DuBois, to place an electronic "bug" in comedian Dan Rowan's room in Las Vegas (Maheu, p. 36). DuBois' employee, Arthur J. Balletti, flew to Las Vegas and installed a tap on Rowan's phone (Maheu, p. 38). O'Connell characterized the ensuing events as a "Keystone comedy act" (O'Connell, p. 68). On October 31, 1960, Balletti, believing that Rowan would be out for the afternoon, left the wiretap equipment unattended. A maid discovered the equipment and notified the local sheriff, who arrested Balletti and brought

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* According to O'Connell and Roselli, DuBois had been requested to place a legal electronic bug against the wall from an adjacent apartment. Balletti instead installed an electronic tap on the phone (O'Connell, pp. 67-68; Maheu, pp. 36-37).

him to the jail. Balletti called Maheu in Miami, tying "Maheu into this thing up to his ear" (O'Connell, pp. 71-72; File R-505, FBI memorandum). Balletti's bail was paid by Roselli (Roselli, p. 52).

(i) Evidence Concerning CIA involvement in the Tap. The Committee received conflicting evidence on whether the agency was consulted prior to the installation of the tap.* O'Connell testified that he had called Edwards and cleared the placement of an electronic "bug" in Rowan's apartment prior to the installation of the tap (O'Connell, pp. 67-71). Maheu recalled that he had initially asked O'Connell if the CIA would handle the job, and that O'Connell had told him that

> "he would call Mr. Edwards and see if they would have the capability of accomplishing this, . . . and that subsequently he informed me that Mr. Edwards had said that they would not do it, but approved paying for it if we hired an independent private detective to put it on." (Maheu, 7/29, p. 37).

On the other hand, Edwards, in a May 14, 1962 memorandum for the Attorney General (discussed at length, infra, p.), stated that

> "At the time of the incident neither the Agency nor the undersigned knew of the proposed technical installation."**

Accuracy

* Regardless of whether the CIA initially authorized the tap, it is apparent that the CIA paid for the tap. DuBois told FBI agents that Maheu had paid him a retainer of $1,000 (File R-505, p. 14). O'Connell confirmed that CIA "indirectly" paid for the tap because "we paid Maheu a certain amount of money, and he just paid it out of what we were giving him."

"Q: But it was understood, or you understood, that out of the money the CIA made available to Maheu, Dubois would be paid for the tap?
A: Yes.

* * *

Q: And Colonel Edwards. . . knew somebody was being employed in order to accomplish a tap?
A: That is right." (O'Connell, p. 69.)

** A memorandum by J. Edgar Hoover states that the Attorney General said he had been told by Edwards that the "CIA admitted that they had assisted Maheu in making the installation" (Memo, Hoover, 4/10/62).

The Inspector General's Report accepted Edwards' assertion that "the Agency was first unwitting and then a reluctant accessory after the fact", but offered no further evidence to support that contention (I.G., p. 67).

The Committee also received conflicting evidence concerning whether the tap had been placed to keep Giancana in Miami or to check on security leaks. O'Connell testified that during the early stages of negotiations with the gambling syndicate, Maheu informed O'Connell that a girl friend of Giancana was having an affair with Rowan. Giancana wanted Maheu to bug Rowan's room; otherwise, Giancana threatened to fly to Las Vegas himself. Maheu was concerned that Giancana's departure would disrupt the negotiations, and secured O'Connell's permission to arrange for a bug to ensure Giancana's continued presence and cooperation. (O'Connell, pp. 68-67.) Maheu substantially confirmed this account (Maheu, pp. 25-30).

There is some evidence suggesting that the CIA itself may have instituted the tap to determine whether Giancana was leaking information about his involvement in an assassination attempt against Castro. Bissell was informed that Giancana had been talking about Giancana's involvement in an assassination plot* (without indicating the CIA was

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* When Roselli talked with Giancana after the wiretap had been discovered, Giancana "laughed. . . I remember his expression, smoking a cigar, he almost swallowed it laughing about it" (Roselli, p. 52). Roselli claims that he was "perturbed" because "It was blowing everything, blowing every kind of cover that I had tried to arrange to keep quiet" (Roselli, p. 52).

Roselli said that he told Giancana that the CIA was involved in the operation "in order to have him keep his mouth shut" (Roselli, p. 27).

involved) by an October 18, 1960 memorandum from J. Edgar Hoover, which stated that "a source whose reliability has not been tested" reported:

> "(D)uring recent conversations with several friends, Giancana stated that Fidel Castro was to be done away with very shortly. When doubt was expressed regarding this statement, Giancana reportedly assured those present that Castro's assassination would occur in November. Moreover, he allegedly indicated that he had already met with the assassin-to-be on three occasions. . . Giancana claimed that everything has been perfected for the killing of Castro, and that the 'assassin' had arranged with a girl, not further described, to drop a 'pill' in some drink or food of Castro's." (File R-505, memo from Hoover to DCI (Att: DDP), 10/19/60.)

Roselli testified that Maheu had given him two explanations for the tap on different occasions: first, that Giancana was concerned about a possible affair between Rowan and his girl friend; and, second, that he had arranged the tap to determine whether Giancana had told his girl friend about the assassination plot, and whether she was spreading the story (Roselli, pp. 47-48). Maheu gave the second explanation to the FBI when he was questioned about his involvement in the tap (File R-505, FBI Summary), and Edwards wrote in the memorandum to the Attorney General:

> "Maheu stated that Sam Giancana thought that (Giancana's girl friend) might know of the proposed operation and might pass on the information to one Dan Rowan, a friend of (Giancana's girl friend)". (Memorandum, Edwards to Kennedy, 5/14/62.)

(ii) <u>Consequences of the tap</u>. Edwards told Maheu that if he was "approached by the FBI, he could refer them to me to be briefed that he was engaged in an intelligence operation directed at Cuba" (Memo, Edwards to Kennedy, 5/14/62). FBI records indicate that on April 18,

1961, Maheu informed the FBI that the tap involved the CIA, and suggested that Sheffield Edwards be contacted (File R-505, Memo, 4/20/61). Edwards subsequently informed the Bureau that the CIA would object to Maheu's prosecution because it might reveal sensitive information relating to the abortive Bay of Pigs invasion* (R-505, Summary of FBI file). In a memo dated April 24, 1962, Herbett J. Miller, Assistant Attorney General, Criminal Division, advised the Attorney General that the "national interest" would preclude any prosecutions based upon the tap. Following a briefing of the Attorney General by the CIA, a decision was made not to prosecute.**

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* Details of the discussions between the CIA and FBI are described fully <u>infra</u> at pp. .

** Maheu subsequently drew on his involvement with the CIA to avoid testifying before Senator Edward Long's Committee investigating invasions of privacy in 1966. According to the Inspector General's Report, when Maheu learned that the Committee intended to call him, "he applied pressure on the Agency in a variety of ways--suggesting that publicity might expose his past sensitive work for the CIA" (I.G., p. 74). Lawrence Houston, General Counsel for the CIA, met with Maheu and his attorney, Edward P. Morgan, and informed Senator Long that Maheu had been involved in CIA operations (Houston, pp. 58-60). As a result, the Long Committee did not call Maheu to testify.

(4) Poison Pills Are Prepared and Delivered to Cuba

The Inspector General's Report described conversations among Bissell, Edwards, and Cornelius Roosevelt, Chief of the Technical Services Division (TSD), concerning the most effective method of poisoning Castro (I.G., pp. 23-24). There is some evidence that Giancana or Roselli originated the idea of depositing a poison pill in Castro's drink to give the "asset" a chance to escape (I.G., p. 25). O'Connell recalled Roselli's request for something "nice and clean, without getting into any kind of out and out ambushing", preferably a poison that would disappear without a trace (O'Connell, p. 116). The Inspector General's Report cited O'Connell as stating that the Agency had first considered a "gangland-style killing" in which Castro would be gunned down. Giancana reportedly opposed the idea because it would be difficult to recruit someone for such a dangerous operation, and suggested instead the use of poison. (I.G., p. 25)

Edwards rejected the first batch of pills prepared by TSD because they would not dissolve in water. A second batch, containing botulinum toxin, "did the job expected of them" when tested on monkeys. (I.G., pp. 25-26; O'Connell, p. 43) O'Connell received the pills from TSD, probably in February 1961, with reassurances that they were lethal,* and

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* Records of the TSD still extant in 1967 indicate that the pills were tested on February 10 and delivered to O'Connell sometime thereafter.

then gave them to Roselli (O'Connell, p. 43).

In late February or March 1961, Roselli reported to O'Connell that the pills had been delivered in Cuba to an official close to Castro who may have received kickbacks from the gambling interests (I.G., p. 23). The official kept the pills for a few weeks, then returned them. Roselli and O'Connell ascribed his failure to a case of "cold feet" (Roselli, p. 24; O'Connell, p. 44). The Inspector General noted that he had lost his position in the Prime Minister's office, and thus access to Castro, before he received the pills (I.G., p. 28).

(5) <u>A Second Delivery Is Attempted</u>

Following this first failure, Roselli told O'Connell that Trafficante believed Tony Varona, a leading figure in the Cuban exile movement, might be able to accomplish the assassination (I.G., p. 29).* Dr. Manuel Antonio de Varona y Lorado headed the Democratic Revolutionary Front, a Cuban exile group supported by the CIA. The Inspector General's Report suggests that Varona may have been receiving funds from Trafficante and other racketeers interested in securing "gambling, prostitution, and dope monopolies" in

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* O'Connell testified that he met Varona only once, and that after the meeting Varona told Roselli:

> "Look, I don't know [sic] like the CIA and you can't tell me that this guy isn't a CIA man". O'Connell recalled, "I don't know whether I showed it or what, but he suspected that I wasn't what I was represented to be." (O'Connell, p. 22.)

Cuba after the overthrow of Castro (I.G., p. 29). The Report speculated that Varona was interested in the assassination scheme as a means of financing the purchase of arms and communications equipment (I.G., p. 31).

Varona claimed to have a contact inside a restaurant frequented by Castro (Roselli, p. 21). As a prerequisite to the deal, he demanded cash and $1,000 worth of communications equipment (I.G., pp. 31-32; O'Connell, p. 23). O'Connell recalls that Colonel J. C. King, head of the Western Hemisphere Division, gave him $50,000 in Bissell's office to pay Varona if he successfully assassinated Castro (O'Connell, pp. 17-21). O'Connell stated that Bissell also authorized him to give Varona the electronics equipment that he requested (O'Connell, pp. 20-24).

Bissell testified that he did not doubt that some cash was given to O'Connell, and that he was aware that the poison pills had been prepared. He did not recall the meeting, and considered it unlikely that O'Connell would have been given the money in his office (Bissell, 6/11, p. 40). The Inspector General's Report, relying on an Office of Security memorandum to the DDCI dated June 24, 1966, as well as on an interview with the person who signed the voucher for the funds, placed the amount at $10,000 (I.G., pp. 31-32). If the Inspector General's conclusions were correct, the funds which Bissell allegedly authorized were probably the advance payment

to Varona, and not the $150,000 that was to be paid to Varona after Castro's death.

The record does clearly reflect, however, that communications equipment was delivered to Varona* and that he was paid advance money to cover his expenses, probably in the amount of $10,000 (I.G., p. 32). The money and pills were delivered at a meeting between Maheu, Roselli, Trafficante, and Varona at the Fontainebleau Hotel in Miami. As Roselli recalled, Maheu

> "opened his briefcase and dumped a whole lot of money on his lap . . . and also came up with the capsules and he explained how they were going to be used. As far as I remember, they couldn't be used in boiling soups and things like that, but they could be used in water or otherwise, but they couldn't last forever . . . . It had to be done as quickly as possible. (Roselli, p. 21). **

Varona had no better success than Orta. NAME?

According to the Inspector General's Report, Edwards believed the scheme failed because Castro stopped visiting the restaurant where the "asset" was employed. Maheu suggested an

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* O'Connell testified that a man from the communications office delivered the communications equipment that Varona had requested to Miami (O'Connell, p. 20). Maheu recalled delivering an automobile which he had been told contained communications equipment to an empty lot (Maheu, p. 52).

** Maheu denied that this dramatic event ever occurred, and did not recall being present at a meeting at which the pills were passed (Maheu, pp. 40-41). Maheu did recall that O'Connell showed him the pills in an envelope and told him that the pills would be given to a Cuban (Maheu, p. 40).

alternative reason. He recalled being informed that after the pills had been delivered to Cuba, "the go signal still had to be received before in fact they were administered" (Maheu, p. 42). He testified that he was informed by O'Connell sometime after the operation that the Cubans had an opportunity to administer the pills to Fidel Castro and either Che Guevarra or Raul Castro, but that the "go signal" never came (Maheu, pp. 43-44, 60-61). He did not know who was responsible for giving the signal (Maheu, p. 44-45). Varona subsequently returned the cash and the pills (O'Connell, pp. 19-20; CIA Justice file R-153, Memorandum, Osborn to DCI, 6/24/66).

The date of the Varona operation is unclear. The Inspector General's Report places it in March-April 1961, prior to the Bay of Pigs (I.G., p. 29). Bissell testified that the effort against Castro was called off after the Bay of Pigs (Bissell, 6/11, p. 52) and Maheu testified that he had no involvement in the operation after the Bay of Pigs (Maheu, p. 50). O'Connell, however, was certain that it occurred during early 1962 (O'Connell, pp. 47-48).

(c) <u>Use of Underworld Figures: Phase II</u>

(1) <u>Change in Leadership</u>

The Inspector General's Report divides the gambling syndicate operation into Phase I, termina-

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ting with the Bay of Pigs, and Phase II, beginning with William Harvey's involvement in late 1961. The distinction between a clearly demarcated Phase I and Phase II may be an artificial one, as there is considerable evidence that the operation was continuous, perhaps lying dormant for the period immediately following the Bay of Pigs.*

In early 1961, Harvey** was assigned the responsibility for establishing a general capability within the CIA for disabling foreign leaders, including assassination as a "last resort" (Bissell, 6/9, p. 73; Harvey, 6/25, pp. 34-35).

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* Harvey said that he took over a "going operation" from Edwards (I.G., p. 42; Harvey, 6/25, p. 67) and emphasized that:

> "I would like to make as clear as I can that there was no phase 1, phase 2 in this. This is an ongoing matter which I injected into . . . . (Harvey, 6/25, p. 90).

Continuity was provided by retaining O'Connell as the case officer for the project well into May 1962. During interviews for the Inspector General's Report, O'Connell recalled that there was "something going on" between the Bay of Pigs and Harvey's assumption of control, (I.G., p. 43). When testifying before the Committee, O'Connell firmly recalled several trips to Miami in the Fall of 1961, and "right up to the time I turned it over to Harvey I was in and out of Miami" (O'Connell, pp. 89-90).

** Harvey had a long background in clandestine activities. He had conceived and carried out the Berlin tunnel operation (Harvey, 6/25, pp. 8-9), and served as Chief of the division, which was responsible for the surreptitious acquisition of code information (Harvey, 6/25, pp. 8-9).

The capability was called Executive Action and was later included under the cryptonym ZR/RIFLE. It and the evidence relating to (i) its connection to the "White House" and (ii) whether or not it involved action as well as "capability" is discussed extensively infra at ______.

Harvey's notes reflect that Bissell asked him to take over the gambling syndicate operation from Edwards and discussed the "application of ZR/RIFLE to Cuba" on November 16, 1961 (I.G., p. 39). Bissell confirmed that the conversation took place and accepted the November date as accurate (Bissell, 7/17, pp. 12-13). He also testified that the operation

> "was not reactivated, in other words, no instructions went out to Roselli or to others . . . to renew the attempt, until after I had left the Agency" (Bissell, 6/11, p. 53).

Harvey agreed that his conversation with Bissell was limited to exploring the feasibility of using the gambling syndicate against Castro (Harvey, 7/11, p. 60).

Richard Helms replaced Bissell as DDP in February 1962. As such, he was Harvey's superior. Harvey testified that he kept Helms informed of the gambling

syndicate operation at all stages* (Harvey, 6/25, pp. 65-66; 7/11, p. 42; I.G., p. 41).

(2) The Operation is Reactivated

In early April 1962, Harvey, who testified that he was acting on "explicit orders" from Helms (Harvey, 7/11, p. 18), requested Edwards to put him in touch with Roselli (CIA Justice File R-153; Edwards memorandum, 5/14/62). O'Connell first introduced Harvey to Roselli in Miami, where Harvey told Roselli to maintain his Cuban contacts, but not to deal with Maheu or Giancana (O'Connell, p. 50; Roselli, pp. 27-30), whom he had decided were "untrustworthy" and "surplus" (Harvey, 6/25, p. 65). O'Connell recalled that Roselli did not initially trust Harvey,

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*When interviewed for the Inspector General's Report, Harvey stated that he briefed Helms on his first meeting with Roselli, and "thereafter he regularly briefed Helms on the status of the Castro operation" (I.G., p. 41).

Helms' recollection was less certain. Helms did recall that he was briefed by Harvey when Harvey first contacted Roselli in April 1962. He remembered that he "reluctantly" had approved the operation, but that he had no confidence that it would succeed (Helms, 7/17, p. 23).

When asked if he authorized sending the poison pills to Florida, Helms testified:

> "I believe they were poison pills, and I don't recall necessarily approving them, but since Harvey alleges to have them and says that he took them to Miami, I must have, I must have authorized them in some fashion." (Helms, 6/13, p. 44).

Helms confirmed that Harvey was "reporting quite regularly what was going on. Whether he reported everything or not, I do not know." It was Helms' expectation that Harvey would have reported to him a matter such as the pills. (Helms, 6/13, p. 105). However, Helms also testified:

> "You saw the I.G. Report says that I was kept currently informed. Maybe I was and maybe I wasn't, and today I don't remember it, as I have said. But I do not recall ever having been convinced that any attempt was really made on Castro's life"(Helms, 7/18, p. 32).

although they subsequently developed a close friendship. (O'Connell, p. 52).

Harvey, O'Connell and Roselli met for a second time in New York on April 8-9, 1962 (I.G., p. 43). A notation made during this time in the files of the Technical Services Division indicates that four poison pills were given to O'Connell on April 18, 1962 (I.G., pp. 46-47). The pills were passed to Harvey, who arrived in Miami on April 21, and found Roselli already in touch with Varona (I.G., p. 47). He gave the pills to Roselli, explaining that "these would work anywhere and at any time with anything" (Roselli, p. 31). Roselli testified that he told Harvey that the Cubans intended to use the pills to assassinate Che Guevara as well as Fidel and Raul Castro. According to Roselli's testimony, Harvey approved of the targets, stating "everything is all right, what they want to do" (Roselli, p. 34).

Varona requested arms and equipment as a quid pro quo for carrying out the assassination operation (O'Connell, pp. 53-54). Harvey, with the help of the CIA's Miami station (JMWAVE), procured explosives, detonators, rifles, handguns, radios, and boat radar costing about $5,000 (I.G., p. 49). Harvey and the chief of the JMWAVE station rented a U-Haul truck under an assumed name and delivered the equipment to a parking lot (Harvey, 6/25, p. 63). The keys were given to Roselli, who watched the delivery from across the street with O'Connell (O'Connell, pp. 92-93).

The truckload of equipment was finally picked up by either Varona or Roselli's agent, Maceo (I.G., pp. 49-50; Roselli, p. 40). Harvey testified that the arms "could" have been for use in the assassination attempt, but that they were not given to Varona solely for that purpose (Harvey, 7/11, p. 9).

Roselli kept Harvey informed of the operation's progress. Sometime in May 1962, he reported that the pills and guns had arrived in Cuba (Harvey, 6/25, p. 64; Roselli, pp. 34, 42-43). On June 21, he told Harvey that Varona had dispatched a three-man team to Cuba. The Inspector General's Report described the team's mission as "vague" and conjectured that the team would kill Castro or recruit others to do the job, using the poison pills if the opportunity arose (I.G., p. 51).

Harvey met Roselli in Miami on September 7 and 11, 1962. Varona was reported to be preparing to send in another three-man team to penetrate Castro's bodyguard. Harvey was told that the pills, referred to as "the medicine," were still "safe" in Cuba (Harvey, 6/25, p. 103; I.G., p. 51).

Harvey testified that by this time he had grave doubts about whether the operation would ever take place, and told Roselli that "there's not much likelihood that this is going anyplace, or that it should be continued" (Harvey, 6/25, p. 104). Varona's second team never left for Cuba, claiming that "conditions" in Cuba were not right (I.G., p. 51-52). During early January 1963, Harvey paid Roselli $2,700 to defray Varona's expenses (I.G., p. 52).

Harvey terminated the operation in mid-February 1963. At a meeting with Roselli in Los Angeles, it was agreed that Roselli would taper off his communications with Varona (I.G., pp. 52-53). Roselli testified that he simply broke off contact with the Cubans. However, he never informed them that the offer of $150,000 for Castro's assassination had been withdrawn* (Roselli, p. 45).

The agency personnel who dealt with Roselli attributed his motivation to patriotism** and testified that he was not paid for his services. According to O'Connell, Roselli

> "paid his way, he paid his own hotel fees, he paid his own travel.... And he never took a nickel, he said, no, as long as it is for the government of the United States, this is the least I can do, because I owe it a lot." (O'Connell, p. 27).

Edwards agreed that Roselli was "never paid a cent" (Edwards, p. 16), and Maheu testified that "Giancana was paid nothing at all, not even for expenses, and that Mr. Roselli was given a pittance that did not even begin to cover his expenses (Maheu, 7/29, p. 68). It is clear, however, that the CIA did pay Roselli's

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* "Q: As far as those Cubans knew, then the offer which they understood from you to come from Wall Street was still outstanding?

"A: I don't know if they still think so ... I didn't see them after that to tell them that" (Roselli, p. 45)."

** Roselli claims that he was motivated by "honor and dedication" (Roselli, p. 59).

In 1943, Roselli had been convicted of extorting money from motion picture producers to insure studios against labor strikes, and during the period of his contacts with the CIA, Roselli was deeply involved in hotel and gambling operations in Las Vegas (File R-505, Summary of FBI Documents). It is possible that he believed cooperating with the government in the assassination operation might serve him well in the future.

hotel bill during his stay in Miami in October 1960.* The CIA's involvement with Roselli caused the Agency some difficulty during Roselli's subsequent prosecutions for fraudulent gambling activities and living in the country under an assumed name.**

(d) Plans in Early 1963

Two plans to assassinate Castro were explored by Task Force W, the section concerned with covert Cuban operations, in early 1963. Desmond Fitzgerald (now deceased), Chief of the Task Force, asked Samuel Halpern to determine whether an exotic seashell, rigged to explode, could be deposited in an area where Castro commonly went skin diving (Halpern, p. 28). The idea was explored by the Technical Division and discarded as impractical (Helms, 6/13, p. 135; I.G., p.77)

A second plan involved having James Donovan (who was negotiating with Castro for the release of prisoners

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* FBI reports reveal that Roselli's expenses at the Kennilworth Hotel, where he was registered from October 11 - 30, 1960 under the name of J.A. Rollins, were paid by Maheu (File R-505, FBI file summary, p.10). Maheu's expenses were reimbursed by the CIA.

** In May 1966, the FBI threatened to deport Roselli for living in the United States under an assumed name unless he cooperated in an investigation of the Mafia. (Roselli, whose true name is Filippo Saco, was born in Italy and allegedly brought illegally into the United States while still a child.) Roselli contacted Edwards, who informed the FBI that Roselli wanted to "keep square with the Bureau," but was afraid that gangsters might kill him for "talking" (CIA Justice File R-153, Memorandum, Osborn to FBI, 5/27/66). After Roselli was arrested for fraudulent gambling activities at the Friars Club in Beverly Hills in 1967, he requested Harvey, who had left the Agency, to represent him (CIA Justice File R-153, Memorandum for Record by Osborn, 12/11/67). Harvey contacted the Agency and suggested that it prevent the prosecution (Osborn Memorandum, supra). Roselli was subsequently convicted of violating United States interstate gambling laws. In 1971, the CIA approached the Immigration and Naturalizaation Service, Department of Justice, to "forestall public disclosure of Roselli's past operational activity with CIA "that might occur if deportation proceedings were brought. (CIA to Select Committee, 7/21/75). It was agreed that CIA would be kept informed of developments in that case. The deportation order is presently being litigated in the courts.

did ? do anything to stop it -

taken during the Bay of Pigs operation) present Castro with a contaminated diving suit* (Colby, 5/21, pp. 38-39).

The Inspector General's Report dates this operation in January 1963, when Fitzgerald replaced Harvey as Chief of Task Force W, although it is unclear whether Harvey or Fitzgerald conceived of the plan (I.G., p. 75). It is likely that the activity took place earlier, since Donovan had completed his negotiations by the middle of January 1963. Helms characterized the plan as "cockeyed" (Helms, 6/13, p. 135).

TSD bought a diving suit, dusted the inside with a fungus that would produce a chronic skin disease (Madura foot), and contaminated the breathing apparatus with a tubercule bacillus (I.G., p. 75). The Inspector General's Report states that the plan was abandoned because Donovan gave Castro a different diving suit on his own initiative (I.G., p. 75). Helms testified that the diving suit never left the laboratory (Helms, 6/13, p. 135).

(e) <u>AMLASH</u>

(1) <u>Origin of the Project</u>

In March 1961, an officer of the Mexico City CIA station met with a highly-placed Cuban official to determine if he would cooperate in efforts against the Castro regime (I.G., p. 78). The Cuban, referred to by the cryptonym AMLASH-1, had been

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*Donovan was not aware of the plan.

involved with an anti-Batista faction that only grudgingly accepted Castro's rule (Case Officer 2, p. 9, 39).* The meeting was inconclusive, but lead to subsequent meetings at which AM/LASH-1 agreed to cooperate with the CIA.

AM/LASH-1 was viewed as an important "asset" inside Cuba. As a high-ranking military leader who enjoyed the confidence of Fidel Castro, he could keep the CIA informed of the internal workings of the regime (Case Officer 2, pp. 23, 40). It was also believed that he might play a part in fomenting a coup within Cuba (Case Officer 2, p. 43).**

From the first contact with AM/LASH-1, until the latter part of 1963, it was uncertain whether he would defect or remain in Cuba. His initial requests to the CIA and FBI for aid in defecting were rebuffed (I.G., pp. 80, 82-83). When Case Officer 1 joined the AM/LASH-1 operation in June 1967, his assign-

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* The Committee has taken the testimoy of the two case officers involved in the AM/LASH project. Case officer 1 dealt with AM/LASH-1 through September 1963; Case Officer 2 continued until mid-1965 (Case Officer 2, p.). The Committee has agreed not to divulge their names as they are still in active service with the Agency. why name us

** AM/LASH-1 was the major "asset" in the AM/LASH operation. During this period the CIA also sponsored a separate operation to

> "penetrate the Cuban military to encourage either defections or an attempt to produce information from dissidents, or perhaps even to forming a group which would be capable of replacing the then present government in Cuba" (Case Officer 1, pp. 18, 22).

The case officers for AM/LASH were also involved in this second related program.

ment was to "stay in place and report to us" (Case Officer 1, p. 38). At a meeting in August 1962 in a foreign capital, AM/LASH-1 stated that he would remain in Cuba if he "could do something really significant for the creation of a new Cuba", and expressed a desire to plan the execution of Fidel Castro (Case Officer 1 Contact Report, August 1 meeting). The subject of assassinating Castro was again discussed at a meeting on August 10, 1962, between AM/LASH-1 and his case officer. The case officer's contact report states that assassination was raised in discussing AM/LASH-1's role in Cuba, and that AM/LASH-1 was visibly upset. "It was not the act that he objected to, but merely the choice of the word used to describe it. 'Eliminate' was acceptable." (Case Officer 1, Contact Report, August 7-10, meetings).

The case officers who testified before the Committee said that AM/LASH-1 was not directly requested to assassinate Castro. The record clearly reveals, however, that the agency personnel dealing with AM/LASH-1 were aware of his desire to take such action. A cable to headquarters reporting an August 16, 1963 meeting with AM/LASH-1 stated:

> "Have no intention give AMLASH-1 physical elimination mission as requirement but recognize this something he could or might try to carry out on his own initiative."*

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* Case Officer 1 testified that AM/LASH-1 discussed "eliminating" Castro, although he attributed such remarks to AMLASH-1's "mercurial" nature, and stated that no specific plans for assassinations were ever discussed (Case Officer 1, pp. 39-41, 62). The case officer who took over the AMLASH project in September 1963 recalled being briefed by Case Officer 1 on AMLASH's belief that Castro's assassination was a necessary first step in a coup. (Case Officer 2, p. 28).

The second AMLASH case officer described the context in which AMLASH-1 generally raised the topic of assassination:

> "You also must recognize that AMLASH was a rather temperamental man whose temperament was of a mercurial nature and whereas he may have said something like this in one fit of pique, he would settle down and talk about organizing a regular military coup in the next breath." (Case Officer 2, p.29)

At a meeting on October 3, 1963, AMLASH-1 again raised the possibility of defecting, but indicated that he would be willing to continue working against the Castro regime if he received firm assurances of American support (Case Officer 2, pp. 48-49). According to Case Officer 2, AMLASH-1 asked for military supplies, a device with which to protect himself if his plots against Castro were discovered, and a meeting with Attorney General Robert Kennedy (Case Officer 2, pp. 48-49).

Desmond Fitzgerald (now deceased), who was then Chief, SAS * agreed to meet AMLASH-1 and give him the assurances he sought. The Inspector General's Report states that Fitzgerald consulted with the DDP, Helms, who agreed that Fitzgerald should hold himself out as a personal representative of Attorney General Kennedy (I.G., p.89).** this is problem

Helms testified that he did not recall the conversation, and speculated that the Attorney General might not have been consulted because

> "this was so central to the whole theme of what we had been trying to do . . .(find someone inside Cuba who might head a government and have a group to replace Castro). This is obviously what we had been pushing, what everybody had been pushing for us to try to do, and it is that context that I would have made some remark like this." (Helms, 6/13, p. 117)

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* SAS (Special Affairs Staff) was the name given to Task Force W in early 1963 when Fitzgerald replaced Harvey as head of the covert Cuban operations. The AMLASH Case Officers reported directly to Fitzgerald.

** The contact plan for the proposed meeting stated:

> "Fitzgerald will represent self as personal representative of Robert F. Kennedy who travelled to (foreign capital) for specific purpose meeting AMLASH-1 and giving him assurances of full support with a change of the present government in Cuba."

TOP SECRET

Helms recalled that he told Fitzgerald to

> "go ahead and say that from the standpoint of political support, the United States government will be behind you if you are successful. This had nothing to do with killings. This had only to do with the political action part of it". (Helms, 6/13, p. 131.)

Fitzgerald met AM/LASH-1 on October 29, 1963, in a foreign capital, and promised that the United States would support a coup against Castro* (Case Officer 2, p. 60). When later interviewed for the Inspector General's Report, Fitzgerald recalled that AM/LASH-1 repeatedly requested an assassination weapon, particularly a "high powered rifle with telescopic sights that could be used to kill Castro from a distance" (I.G., p. 90). Fitzgerald stated that he told AM/LASH-1 that the United States would have "no part of an attempt on Castro's life" (I.G., p. 90). Case Officer 2 recalled that AM/LASH-1 raised the prospect of assassinating Castro, but did not propose an explicit plan (Case Officer 2, pp. 62, 85). AM/LASH-1, was, however, "convinced that Castro had to be removed from power before a coup could be under-

pretty specific

* Case Officer 2 did not recall whether Robert Kennedy's name was used (Case Officer 2, p. 60).

taken in Cuba" (Case Officer 2, p. 61).

AMLASH-1 also requested high-powered rifles and grenades (Case Officer 2, p. 77). A memorandum by Case Officer 2, dated November 18, 1963, states:

> "C/SAS (Fitzgerald) approved telling AMLASH-1 he would be given a cache inside Cuba. Cache could, if he requested it, include . . . high powered rifles with scopes . . ."

go other way from p 33

AMLASH-1 was told on November 22, 1963, that the cache would be dropped in Cuba (Case Officer 2, p. 92).

(2) <u>The Poison Pen Device</u>

On November 22, 1963, Case Officer 2 met with AMLASH-1 in a foreign capital, offered him a ball-point pen rigged with a hypodermic needle, and suggested that Blackleaf 40 would be an effective poison to use in the device. (Case Officer 2, p. 110) The needle was designed to be so fine that the victim would not notice its insertion (Case Officer 2, p. 103).

The Inspector General's Report states that Case Officer 2, when he was interviewed in 1967, stated that AMLASH-1 had requested the Agency to

> "devise some technical means of doing the job that would not automatically cause him to lose his own life in the try." (I.G., p. 92)

The Report concluded that:

> "although none of the participants so stated, it may be inferred that they were seeking a means of assassination of a sort that AMLASH-1 might reasonably have been expected to have devised himself." (I.G., p. 92)

Halpern, Fitzgerald's assistant, told the Committee that the pen was intended to show "bona fides" and

> "The orders were to do something to get rid of Castro . . . and we thought this other method might work whereas a rifle wouldn't." (Halpern, p. 26)

Helms confirmed that the pen was manufactured

> "to take care of a request from him that he have some device for getting rid of Castro, for killing him, murdering him, whatever the case may be." (Helms, 6/13, p. 113)

> ". . . (t)his was a temporizing gesture." (Helms, 6/11, p. 133)*

On November 22, 1963, Fitzgerald and the case officer met with AMLASH-1 in a European capital and offered him the poison pen, recommending that he use Blackleaf-40, a deadly poison which is commercially available. (Case Officer 2, p. 112) The Inspector General's Report noted that

> "it is likely that at the very moment President Kennedy was shot a CIA officer was meeting with a Cuban agent in Paris and giving him an assassination device for use against Castro." (I.G., p. 94)

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* In his testimony before the Committee, Case Officer 2 offered a conflicting story. He said that the purpose of the pen was

> "to provide AMLASH with a device which would serve him to protect himself in case he was confronted with and charged with being involved in a military coup against Castro." (Case Officer 2, p. 107)

According to the case officer, AMLASH-1 had requested an "esoteric device which could easily be concealed and which he could use in self-defense (Case Officer 2, po. 98-99). The device was not intended for offensive use against any person, but was rather

> "a kind of psychological crutch . . .to help him think that we were interested in his own protection, his own security" (Case Officer 2, pp. 104-105).

This version is wholly inconsistent with documents in the CIA files, some of which were written by the AMLASH case officer, which establish that AMLASH-1 intended to kill Castro, and that the CIA knew his desire and endeavored to supply the means that he needed.

The case officer later recalled that AMLASH-1 did not "think much of the device," and complained that CIA could surely "come up with something more sophisticated than that" (I.G., p. 93a).

The case officer recalled offering the pen to AMLASH-1, but could not remember whether AMLASH-1 threw it away then or took it with him (Case Officer 2, pp. 105, 110). He did recall that AMLASH-1 said he would not take the pen back to Cuba, but did not know what AMLASH-1 in fact did with the pen (Case Officer 2, pp. 110-111).

An entry in the CIA files on AMLASH dated March 29, 1965, states:

> "Although Fitzgerald and the case officer assured AMLASH-1 on November 22, 1963, that CIA would give him everything he needed (telescopic sight, silencer, all the money he wanted) the situation changed when the case officer and Fitzgerald left the meeting to discover that President Kennedy had been assassinated. Because of this fact, plans with AMLASH-1 changed and it was decided that we could have no part in the assassination of a government leader (including Castro) and would not aid AMLASH-1 in this attempt. . . AMLASH-1 was not informed of (this decision) until he was seen by the case officer in November, 1964."

(3) Providing AMLASH-1 with Arms

CIA cables indicate that one cache of arms for AMLASH-1 was delivered in Cuba in March 1964 and another in June. An entry in the AMLASH file for May 5, 1964, states that the case officer requested the Technical Services Division to produce, on a "crash basis," a silencer which would fit an FAL rifle. The contact report of a meeting between the case officer and a confidant of AMLASH states that AMLASH was subsequently informed that it was not feasible to make a silencer for an FAL.

Toward the latter part of 1964, AMLASH-1 became more insistent on the fact that the assassination of the Cuban leadership was a necessary initial step in a successful coup. (Case Officer 2, pp. 129-133). In a memorandum dated December 10, 1964, the case officer wrote:

> "AMLASH-1 was told and fully understands that the United States Government cannot become involved to any degree in the 'first step' of his plan. If he needs support, he realizes he will have to get it elsewhere. FYI: This is where B-1 could fit in nicely in giving any support he would request."

Documents in the AMLASH file establish that in early 1965, the CIA put AMLASH in contact with B-1, the leader of an anti-Castro group. As the case officer explained to the Inspector General:

" . . . what had happened was that SAS had contrived to put B-1 and AMLASH together in such a way that neither of them knew that the contact had been engineered by CIA. The thought was that B-1 needed a man inside and AMLASH wanted a silenced weapon, which CIA was unwilling to furnish to him directly. By putting the two together, B-1 might get its man inside Cuba and AMLASH might get his silenced weapon -- from B-1." (I.G., p. 101)

A report of a meeting between a case officer and B-1 states that B-1, in his initial contacts with AMLASH-1, discussed plans for assassinating Castro. AMLASH-1 suggested that guerrilla raids against Cuba should be stepped up one month before the "attempt on Fidel Castro" to "prepare the public and raise the morale and resistance spirit of the people." B-1 reported that AMLASH-1 believed that the only solution to the problems in Cuba would be

"to get rid of Fidel Castro. He is able either to shoot him with a silencer or place a bomb in some place where Fidel will be. He might use, for example, a small bomb that he can carry and place, or with his group attack, the residence where Fidel lives . . . . B-1 is going to provide AMLASH-1 with escape routes and places where B-1 is able to pick him up. He will memorize these points and escape routes. . . Next, B-1 is to provide AMLASH-1 either a silencer for a FAL or a rifle with a silencer.*

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* A CIA document dated January 3, 1965, states that B-1 told a case officer that he and AM/LASH-1 had reached an agreement on the following points:

"1. B-1 is to provide AM/LASH-1 with a silencer for the FAL; if this is impossible, B-1 is to cache in a designated location a rifle with a scope and silencer plus several bombs concealed either in a suitcase, a lamp or some other concealment device which he would be able to carry and place next to Fidel Castro.

"2. B-1 is to provide AM/LASH-1 with escape routes controlled by B-1 and not by the Americans. The lack of confidence built up by the Bay of Pigs looms large.

"3. B-1 is to prepare one of the western provinces, either Pinar del Rio or Havana, with arms caches and a clandestine underground mechanism. This would be a fall back position and a safe area where men and weapons are available to the group.

TOP SECRET

A CIA cable dated February 2, 1965, stated that B-1 had given AMLASH-1 a silencer and that AMLASH-1 had "small, highly concentrated explosives." On February 11, 1965 the Madrid Station cabled that AMLASH-1 would soon receive "one pistol with silencer and one FAL rifle with a silencer from B-1's secretary" (I.G., p. 103). A subsequent cable reported that "B-1 had three packages of special items made up by his technical people and delivered to AMLASH-1 in Madrid" (I.G., p. 103

In June 1965, CIA terminated all contact with AMLASH-1 and his associates because of reports that his activities were widely known (I.G., pp. 104-105).

"4. B-1 is to be in Cuba one week before the elimination of Fidel, but no one, including AM/LASH-1 will know B-1's location.

"5. B-1 is to arrange for recongition by at least five Latin American countries as soon as Fidel is neutralized and a junta is formed. This junta will be established even though Raul Castro and Che Guevara may still be alive and may still be in control of the part of the country. This is the reason AM/LASH-1 requested that B-1 be able to establish some control over one of the provinces so that the junta can be formed in that location.

"6. One month to the day before the neutralization of Fidel, B-1 will increase the number of commando attacks to a maximum in order to raise the spirit and morale of the people inside Cuba. In all communiques, in all radio messages, in all propaganda put out by B-1 he must relate that the raid was possible thanks to the information received from clandestine sources inside Cuba and from the clandestine underground apparatus directed by "P". This will be AM/LASH-1's war name."

2. <u>At What Level Were the Castro Plots Authorized or Known About Within the Central Intelligence Agency?</u>

(a) <u>The Question Presented</u>. As we have seen, first Richard Bissell and then Richard Helms, each as Deputy Director of Plans (DDP), were aware of plots to assassinate Fidel Castro. The evidence set forth herein relates to whether their superiors in the Agency, in particular Allen Dulles and John McCone, authorized or were aware of the assassination plots.

Dulles served as Director of Central Intelligence (DCI) from 1953 to November 1961. McCone served as DCI from November 1961 to 1965.* The Committee took considerable testimony on whether Dulles and McCone (or their Deputy DCI's, General Cabell and General Carter, respectively) knew about or authorized the plots against Fidel Castro's life.

In summary, the evidence is as follows:

(i) <u>Dulles</u>: Bissell and Edwards both expressed the belief that Dulles (and his Deputy, General Cabell) authorized the initial phase of the assassination plot involving underworld figures. They acknowledged, however, that Dulles (and his Deputy) were not told about the plot until after the underworld figures had been contacted. The words said to have been used to brief them--"an intelligence operation"--do not convey on

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* Bissell served as DDP from January 1, 1959, to February 17, 1962. (President Kennedy decided to replace Dulles and Bissell because of the failure of the Bay of Pigs (Bissell, 6/9, pp. 6-8).) Helms, who had been Bissell's Deputy, succeeded Bissell in February 1962 as DDP. He was appointed DDCI in April 1965, and DCI in June 1966.

their face that the plot involved assassination, although Bissell and Edwards insist the real meaning must have been understood. There is some other evidence which can be said both to suggest that Dulles and Cabell did know and to suggest that they did not know. (See Section (b) below.)

(ii) McCone: McCone testified that he did not know about or authorize the plots. Helms and Bissell both stated that McCone was not told by them of the earlier assassination efforts when McCone assumed the position of DCI in November 1961. The I.G. Report states that Harvey received Helms' approval not to brief McCone when the actual efforts were resumed in 1962. Harvey testified this accorded with his recollection. Thereafter, Helms and Harvey did not tell McCone about assassination activity on several occasions. Helms did not recall any agreement not to brief McCone, but did not call into question the position taken by Harvey or the I.G. Report on this matter. Helms did say that McCone never told him not to assassinate Castro, but added that he was not claiming that he told McCone about the plots. (These matters, as well as the various reasons put forward by Harvey and Helms for not briefing McCone, are set forth in Section (c) below.)

(b) Did Allen Dulles Know of or Authorize the Initial Plots Against Castro?* Both Allen Dulles and his Deputy (DDCI),

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* This testimony relates to the "airplane" incident in July 1960 and what the I.G. Report referred to as the initial phase of the assassination effort involving the underworld. With respect to the "schemes" prior to that operation, the I.G. Report concluded they could "find no evidence that any of the schemes were approved at any level higher than division, if that". (I.G., p. 10.)

General Cabell, are deceased. Since we were unable to take any testimony from either, the Committee's investigation centered around the documents available and the testimony of those still alive who served under Dulles and Cabell.*

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*The Inspector General questioned neither Dulles nor Cabell in preparing his Report in 1967.

(i) Dulles' January 1960 Statement to the Special Group Suggesting Contingency Plans for the Overthrow of the Casto Government, but Ruling Out "Elimination" of Castro.

January 13, 1960, Allen Dulles, in what was apparently the first Special Group discussion of a covert program to overthrow Castro, emphasized that "a quick elimination of Castro" was not contemplated by the CIA (minutes of Special Group meeting, 1/13/60). According to the minutes of the meeting, Dulles first "noted the possibility that over the long run the U.S. will not be able to tolerate the Castro regime in Cuba, and suggested that covert contingency planning to accomplish the fall of the Castro government might be in order." Then, in response to the State Department representative's comment that "timing was very important so as to permit a solidly based opposition to take over," Dulles

> "emphasized that we do not have in mind a quick elimination of Castro, but rather actions designed to enable responsible opposition leaders to get a foothold."

(ii) Dulles' Alleged Recission of the July 1960 Airplane Assassination Plan Upon Learning of It.

As discussed in greater detail above (see p. _____), in July, 1960, Tracy Barnes, Bissell's assistant, approved the sending of, in July, 1960, a cable to the Havana station stating that "possible removal of top three leaders (was) receiving serious consideration," and instructions were given to carry out a plan to kill Raul Castro. That plan was, however, abandoned shortly after it had been approved.

The Executive Officer to the Chief of the Cuba court action project, who had sent the cables testified that he had "heard" that Dulles had countermanded Barnes' plan and had indicated that "assassination was not to be considered." (Duty Officer, p. 29).* The officer added, however, that he had no personal knowledge of the reason for calling off the plan, or even if Dulles had been the one who called it off, he further testified that

> "assassination had not been part of the Cuba covert action project in 1960 and that Dulles' action in this incident conformed with CIA policy against the use of assassination." (Duty Officer, p. ____).**

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* The countermanding cable to the Havana station, which was "Operational Immediate," was sent the morning after the cable of the previous night. The officer who sent that cable testified:

> "...I saw the cable and was told that, to the best of my knowledge, my memory is that the Director [Dulles], not the Deputy Director [Bissell] ... had countermanded the cable and had directed that -- had indicated that ... assassination was not to be considered." (Duty Officer, p. 29).

The officer stated that he did not talk to either Dulles or Bissell about the countermanding cable, but that he did see the cable and in all likelihood heard of the reason for Dulles' reaction in discussions the same morning with his superior, the Chief of the Cuba project. (Duty Officer, pp. 30-32).

** The officer testified:

> "...we were schooled that although other countries [used assassination] we do not, and I had always understood this as a basic rule." (Duty Officer, p 14).

> "Question: So was it your understanding after this cable, and in view of your knowledge of the Agency general practice with respect to assassination in which you had been schooled that it was not done, that assassination was not part of the Cuba Project, as far as you knew?"

"Officer: That's correct."

* * *

"Question: And would it be accuaate to say that your recollections concerning what you now view as what Mr. Dulles' attitudes were ... are based on your general training about what had always been said ... [and] that after this incident, what you were told ... fortified that previous belief [in] that Dulles had nullified at least this particular cable?"

"Officer: Correct."

"Question: Do you have anything in your recollection or as a result of your informed opinion or experience that would indicate to the contrary; that is, that Mr. Dulles did have assassination in his arsenal, so to speak?"

"Officer: I have no basis for any such speculation." (Duty Officer, pp. 31, ___).

(iii) Dulles Briefing on Use of Underworld Figures in September 1960.

1. Bissell and Edwards Said Dulles Was Told About An "Intelligence Operation" With No "Bad Words" Used, But That Dulles (and his Deputy) Understood That to Mean Assassination.

Bissell recalled that "in the latter part of September" there was "a meeting in which Col. Edwards and I briefed Mr. Dulles and General Cabell" (Bissell, 6/9, p. 20). Bissell testified that "Colonel Edwards outlined in somewhat circumlocutious terms the plan that he had discussed with syndicate representatives" (Bissell, 6/9, p. 22). He stated that Edwards had said:

> "that contact had been made with [the underworld], that a plan had been prepared for their use, and I think he either said in as many words or strongly inferred that the plan would be put into effect unless at that time or subsequently he was told by Mr. Dulles that it should not be". (Bissell, 6/9, p. 22.)*

The CIA's 1967 I.G. Report, based upon interviews with Edwards and Bissell, said Dulles and Cabell were briefed as follows:

> "The discussion was circumspect. Edwards deliberately avoided the use of any 'bad words'. The descriptive term used was 'an intelligence operation'. Edwards is quite sure that the DCI and the DDCI clearly understood the nature of the operation he was discussing. He

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* Bissell testified that he was relying on the dating provided in the Inspector General's Report, but that his statements concerning what was said at the meeting were of his personal knowledge (Bissell, 6/9, pp. 20-22).

> recalls describing the channel as being 'from A to B to C'. As he then envisioned it, A was Maheu, B was Roselli, and C was the principal in Cuba. Edwards recalls that Mr. Dulles merely nodded, presumably in understanding and approval. Certainly there was no opposition. Edwards states that, while there was no formal approval as such, he felt that he clearly had tacit approval to use his own judgement." (I.G., pp. 17-18.)

Bissell testified that the description sounded "highly plausible". (Bissell Tr. 6/9/75 at 24.) Edwards said it was "accurate" (Edwards Tr. at 11).

In light of the manner in which Bissell and Edwards described briefing Dulles, the question arises as to whether Dulles in fact would have understood that the operation involved assassination. The Inspector General, in attempting to "conjecture as to just what the Director did approve", decided

> "It is safe to conclude, given the men participating and the general subject of the meeting, that there was little likelihood of misunderstanding--even though the details were deliberately blurred and the specific intended result was never stated to unmistakable language. It is also reasonable to conclude that the pointed avoidance of 'bad words' emphasized to the participants the extreme sensitivity of the operation." (I.G., p. 18).

Bissell testified that

> "I can only say that I am quite sure I came away from that meeting--and there was, I think, subsequent occasions when this came up between Mr. Dulles and myself, and I am quite convinced that he knew the nature of the operation."
>
> * * *
>
> "Q.: What were the subsequent conversations you had with Mr. Dulles in which you concluded that he knew that this was an assassination effort?
>
> "Bissell.: . . . it's really a guess on my part that

such conversations occurred . . . I do believe they did occur is that during the entire autumn I suppose I must have spoken to Mr. Dulles practically daily about some aspect of the whole Cuban operation and I am virtually certain that he would in one or another of those conversations and probably more than once have asked if there was anything to report about the Sheffield Edwards' operation. He also may have been in direct contact with Edwards at that time." (Bissell Tr. 6/9/75, pp. 24-26)

When asked by the Chairman why, in this context, persons within the Agency talked "in riddles to one another", Bissell replied that:

". . . I think there was a reluctance to spread even on an oral record some aspects of this operation.

"Chairman: Did the reluctance spring from the fact that it simply grated against your conscience to have to speak more explicitly?

"Bissell: I don't think it grated against my conscience. I think it may have been a feeling that the Director [Dulles] preferred the use of the sort of language that is described in the I.G. Report."

Bissell, in a subsequent appearance before the Committee, again addressed the issue of whether he and Edwards had made it clear to Dulles that what was involved was an assassination operation:

"I thought I made clear that it was my impression--and I believe the impression incidentally that I thought was confirmed in the [I.G. Report]--that in discussing this with Dulles and Cabell . . . the objective of the operation was made unmistakably clear to them. The terms 'an intelligence operation', I think someone said, was that not a cover designation? But we would not under any circumstances have told Allen Dulles that this was an intelligence collection operation. If I said that on Monday, I must have given a wrong impression." (Bissell Tr. 6/11, p. 24.)

On the other hand, Scott Breckenridge, the only author of the Inspector General's Report still with the CIA, testified that in his opinion a "pointed avoidance of 'bad

words'" would have made it less likely that an "intelligence operation" would have been understood as an assassination attempt, and that "it was open to question how clearly this was stated to Mr. Dulles and whether or not Mr. Dulles understood" (Colby/Breckenridge, 5/ , p. .)

Sheffield Edwards was quite infirm when examined by the Committee and has since died.* Edwards testified before the Committee as follows:

> ". . . [T]his possible project was approved by Allen B. Dulles, Director of CIA, and by General Cabell, the Deputy Director. They are both dead.
>
> "The Chairman: How do you know, Colonel, that the project had been approved by these two gentlemen?
>
> "Edwards: I personally briefed Allen Dulles . . . and Cabell." (Edwards, 5/30/75, pp. 5-6)

In his interview with the Rockefeller Commission, Edwards testified (Edwards interview, p. 5):

> "Q.: Now, who inside the Agency besides Bissell did you have any contact with on the top echelon?
>
> "A.: Very important. The plan was approved by Allen W. Dulles and General Cabell."

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* As the investigation proceeded, members of the Committee requested that Edwards be recalled. Edwards passed away before this could be accomplished. As a result of Edwards' infirmity and subsequent death, the Committee was unable to examine him effectively concerning his conflicting prior statements concerning Dulles' knowledge of the plots.

James O'Connell, who was the case officer for the operation involving underworld figures, testified that when he and Edwards discussed the matter in 1975, prior to giving evidence to the Rockefeller Commission, he was sure that Edwards had told him Dulles had approved the plot (O'Connell Tr. 5/30, pp. 58-59). He added that he was "reasonably sure" or "knew" in the "back of my mind" that either Edwards or Bissell had also told him of Dulles' knowledge when the plot was underway in 1960-62 (O'Connell Tr. 5/30, pp. 33-34; 36; 60).*

A review of Dulles' calendar for August through December 1960 showed no meeting involving Dulles, Cabell, Bissell and Edwards.** Of course, such a meeting could have occurred without having been recorded.

2. <u>Whatever Was Said to Dulles, He Was Not Briefed Until After Contact With the Underworld Figures Had Been Made.</u>

Bissell and the Inspector General's Report (which

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* In June 1966, Howard J. Osborn, Edwards' successor as Director of Security, wrote a memorandum for Helms on Maheu stating that "the DCI was briefed and gave his approval". When questioned about this memorandum, Osborn stated that he had no firsthand knowledge of the briefing, and that he had most likely obtained this statement from Edwards or O'Connell.

** The calendar also reflects no meetings during that period between Dulles, Edwards and Bissell, or between Dulles and Edwards.

relied on Edwards) placed the briefing of Dulles in "the latter part of September 1960".

Bissell did not have a clear independent recollection of the dates involved, but recalled that discussions concerning the possible use of syndicate members against Castro began "in the Autumn of 1960".* He recalled initial discussions among himself, Edwards, and Colonel J. C. King, Chief of the Western Hemisphere Division, which he said occurred before Dulles and Cabell were approached about assassinating Castro. According to Bissell,

> "those conversations, the subject matter was a capability to eliminate Castro if such action should be decided upon.
>
> "It is, therefore, accurate to say that my best recollection of those conversations (with Edwards and King) is that they addressed themselves to the existence or non-existence of the capability and to the possibility of developing a capability. They were not conclusive or decisive conversations . . . nor would they have revealed a prior decision to implement such a plan by anybody." (Bissell, 6/9, p. 19.)

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* "Q.: When did you first become aware of any plan or effort to assassinate Mr. Castro?

"Bissell: Well, I became aware of planning a contingency basis for such an operation. My recollection is August . . .

"Q.: August of 1960?

"Bissell: '60, correct . . . but without reading [the I.G. Report], I would have remembered initial conversations early in the autumn of 1960." (Bissell Tr. 6/9, pp. 17-18.)

O'Connell contacted Roselli in early September 1960. During the week of September 25, O'Connell, Maheu, and Roselli met with Giancana and Trafficante in Miami. Bissell testified as follows concerning the sequence of those events:

> "Q.: Well, before we come to the meeting [with Dulles], you had been informed, prior to that, had you not, that contact had been made with the Mafia?
>
> "Mr. Bissell.: I had.
>
> "Q.: Now were you informed that the Mafia had been given the go ahead to proceed with actual efforts to assassinate Castro?
>
> "Bissell: Not that early, to my best recollection. . . . I cannot date that at all well. I would suppose that it was within the next two or three weeks." (Bissell, 6/9, pp. 20-21.)

On the other hand, Roselli's testimony suggests that Maheu had indicated prior to the "latter part of September" 1960 that a large sum of money would be paid for Castro's death (Roselli, p. 17), and Edwards' May 14, 1962 memorandum indicated the briefing of "senior officials" took place after the money had been offered.

It is clear, then, that even if Dulles was informed about the use of underworld figures to assassinate Castro, subordinate agency officials had previously decided to take steps toward arranging for the killing of Castro, including discussing it with organized crime leaders.

(iv) Questions Raised by Edwards' Communications to the Justice Department in 1961 and 1962.

As fully described *supra*, pp.___, the FBI discovered in the late 1960's that Maheu had been involved in an illegal wiretap in Las Vegas. In April 1961, Maheu told the FBI that the tap had been placed in connection with a CIA operation, and suggested that the FBI contact Edwards to verify this fact.

An FBI report of a May 3, 1961 interview with Edwards (in which Edwards vaguely described the use of Giancana as relating to "clandestine efforts against the Castro Government" with no mention of assassination, and a copy of which was given to the Attorney General) stated:

> "Col. Edwards advised that only Mr. Bissell (Director of Plans, CIA) and two others in CIA were aware of the Giancana-Maheu activity in behalf of CIA's program and Allen Dulles was completely unaware of Edwards' contact with Maheu in this connection. He added that Mr. Bissell, in his recent briefings of Gen. Taylor and the Attorney General in connection with their inquiries into CIA relating to the Cuban situation, told the Attorney General that some of the associated planning included the use of Giancana and the underworld against Castro." (FBI memorandum entitled "Arthur James Balletti et al.",May 22, 1961, p. 2.) (Emphasis added)

Bissell said he was certain, however, that the statement regarding Dulles' knowledge about the operation was wrong, and testified that "it is just flatly contrary to my recollection that Allen Dulles was unaware of these contacts, as I have testified several times" (Bissell, 6/11, p. 27).*

When asked to speculate on why Edwards would have told the FBI that Dulles was unaware of Edwards' contact with Maheu, Bissell replied:

> "I can only surmise that he believed he could secure the cooperation of the Justice Department that he required without in any way involving his superior, Mr. Dulles, and simply did this in a protective fashion." (Bissell, 7/17/, p. 20).

A year later, on May 7, 1962, Edwards and CIA's General Counsel met with Attorney General Robert Kennedy. (That meeting, is discussed extensively below at p. _____). Edwards' memorandum of the meeting indicated that he had said that after Roselli and Giancana had been offered $150,000, Edwards had "then briefed the proper senior officials of [the]

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*

> Now, it (the FBI memorandum) is just flatly contrary to my recollection that Allen Dulles was unaware of these contacts, as I have testified several times. Also, I submit it is quite implausible that I would have briefed Gen. Taylor and the Attorney General--and incidentally, I have no recollection of briefing those two gentle men except as members of the Board of Inquiry that I have described, of which Allen Dulles himself was a member--it is quite implausible that I would have briefed them on a matter which had been going on for some months, and some which the Director, Mr. Dulles himself, had never been informed."

Agency" (without specifying whom) and they had "duly orally approved."* It further states that "knowledge" of the project had been "kept to a total of six persons." **

Dulles had left the Agency between the time of Edwards' two statements.

(v) <u>Remarks Made to the Special Group by General Cabell in November 1960</u>.

Bissell and Edwards testified that Cabell was aware of the Castro plots (Bissell Tr. 6/9, p. 22; Edwards Tr. 5/30/75, pp. 5-6).***

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* On the same day as writing that memorandum for the Attorney General, Edwards wrote another memorandum for his own files indicating that after putting Harvey in contact with Roselli in early April, he had:

> "cautioned him [Harvey] that I felt that any future projects of this nature should have the tacit approval of the Director of Central Intelligence." (5/14/62, Memorandum for the Record.)

This memorandum, which contained other information which Harvey and Edwards had agreed to include to "falsify" the record, is discussed <u>infra</u>, p. _____.

** The 1967 Inspector General's Report surmised that thirteen people knew of the plot, including Dulles, based upon Bissell's and Edwards' account of the Dulles briefing. (See discussion, <u>supra</u>. at .)

*** The Inspector General's Report stated:

> "With Bissell present, Edwards briefed the Director (Dulles) and the DDCI (Cabell) on the existence of a plan involving members of the syndicate. . . Edwards is quite sure that the DCI and the DDCI clearly understood the nature of the operation he was discussing." (IG Report, p. 17.)

O'Connell testified that prior to O'Connell's testifying before the Rockefeller Commission, Edwards told O'Connell that Cabell had been aware of and authorized the project.

The testimony indicates that the meeting between Dulles, Bissell, Edwards, and Cabell occurred sometime "in the autumn" of 1960, probably around September. The minutes of a meeting of the Special Group, the high-level governmental body for considering covert action, on November 3, 1960, reflect the following remarks:

> "Finally, Mr. Merchant asked whether any real planning had been done for taking direct positive action against Fidel, Raul and Che Guevara. He said that without these three the Cuban Government would be leaderless and probably brainless. He conceded that it would be necessary to act against all three simultaneously. General Cabell pointed out that action of this kind is uncertain of results and highly dangerous in conception and execution, because the instruments must be Cubans. He felt that, particularly because of the necessity of simultaneous action, it would have to be concluded that Mr. Merchant's suggestion is beyond our capabilities." (11/3/60 Special Group Minutes, P. 3).

is this inconsis / might assn but not believe poss.

Exactly what the term "direct positive action" meant to the speaker or those listening is uncertain. Neither was able to offer any interpretive help to the Committee. However, other participants at this meeting have testified that the reference could mean or include assassination.*

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*

"Q: Do you read. . . direct, positive action. . . as meaning killing (Fidel Castro, Raul Castro and Che Guevara)?"

"A: I would read it that way, yes." (Lansdale Tr. 7/8/75, p. 103.)

"Q: . . .would you agree that the words 'direct positive action' appear to question whether there's been any planning in connection with assassinating (the Castros and Guevara)?"

"A: I think the phrase 'positive action' could include assassinations, but. . . I'm not sure what was in Mr. Merchant's mind." (Gray Tr. 7/9/75, p. 9.)

Bissell was also asked about the minutes of the November 3 meeting. After reading the reference to "direct positive action," Bissell said "I find it difficult to understand" (Bissell Tr. 7/17, p. 18). He was then asked

> "Q: Do you, in light of the November 3 minutes) remain firm that Cabell was knowledgeable (of the assassination plots)?"
>
> "A: It casts some doubt on that in my mind."

When asked if it cast "some significant doubt in light of (Cabell's) character", Bissell answered "yes" (Bissell, 7/17, pp. 22-23).

(c) <u>Did John McCone Know of or Authorize Assassination Plots During His Tenure as DCI</u>

The CIA considered several assassination plots against Castro during McCone's tenure as Director. Harvey initiated his contact with Roselli in April 1962, and the operation involving underworld figures continued into early 1963. In early 1963 the CIA looked into the possibility of assassinating Castro with an exploding seashell and contaminated diving suit. AM/LASH was offered a poison pen device in November 1963, and caches of arms were delivered to Cuba for his use in the following year.

(i) <u>McCone Testified That He Did Not Authorize or Know About the Castro Plots and That He Would Have Disapproved the Plots Had He Been Asked</u>

McCone testified that he was not aware of the plots to assassinate Castro which took place during the years in which he was DCI, and that he did not authorize those plots.* (McCone, 6/6/75, pp. 33, 44-45) He testified that he was not briefed about the assassination plots by Dulles, Bissell, Helms, or anyone else when he succeeded Dulles as Director in November 1961 (McCone, 6/6/75, pp. 6-7, 17), and that if he had ever been asked about the plots, he would have disapproved. (McCone, 6/6/75, p. 47) McCone testified:

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* McCone testified that he first learned of the Roselli operation in August, 1963, long after it had been terminated. See discussion, p.____.

> I had no knowledge of any authorized plan or planning that might lead to a request for authorization. Of course, during those days it was almost common for one person or another to say, we ought to dispose of Castro . . . [b]ut at no time did anyone come to me, or come to other authorities to my knowledge, with a plan for the actual undertaking of an assassination.
>
> * * * * *
>
> Senator Hart of Colorado: . . . Did you ever discuss the subject of assassinations with your predecessor, Mr. Dulles?
>
> McCone: No, I did not.

ASSASS? CAPAS? re MKNAOMI?

(ii) <u>Helms, Bissell, and Other Subordinate Agency Employees Testified That They Did Not Ask McCone to Approve the Plots or Know If He Had Knowledge Of Them.</u>

Richard Bissell was DDP under McCone for three months, from November 1961 until February 1962. Richard Helms assumed the duties of DDP from Bissell.

Bissell testified about McCone's knowledge as follows:

> Q.: Your testimony is that you never discussed assassinations with Mr. McCone?
>
> A.: That is correct.
>
> Q.: . . . [D]id you tell McCone anything about that conversation with Mr. Harvey in which you at least told him (Harvey) to take over the relationship with the criminal syndicate?
>
> A.: I don't remember so doing.

Helms testified that he did not recall ever having discussed the assassination plots with McCone while the plots were continuing.* When asked whether McCone was aware of the assassination plots against Castro, Helms testified:

> No, it isn't my impression that I told him, at least I don't have any impression, unfortunately. . . . Mr. McCone is an honorable man. He has done his own testifying, and all I can say is that I do not know specifically whether he was aware or not. (Helms, 6/13/75, pp. 90, 101-102)

Helms further testified:

> Q.: I believe Mr. McCone testified that he never heard of any of these attempts when he was Director. Would you have any reason to disagree with his testimony?
>
> Helms: Sir, I have always liked McCone and I don't want to get into an altercation with him. He had access to Harvey and everybody else just the way I had and he had regular access to the Attorney General.
>
> * * * * *
>
> Q.: If you were a member of this Committee wouldn't you assume that Mr. McCone was unaware of the assassination attempts while they were underway?
>
> Helms: I don't know how to answer that, Senator Mondale. He was involved in this up to his scuppers just the way everybody else

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*Helms testified that he first told McCone about the plot using underworld figures in August 1963. See discussion <u>supra</u> at p. ____.

> was that was in it, and I just don't know. I have no reason to impugn his integrity. On the other hand, I don't understand how it was he didn't hear about some of these things that he claims that he didn't. (Helms, 7/13/75, pp. 32-33)

* * * * *

> I honestly didn't recall that Mr. McCone was not informed and when I was told that there was evidence that he wasn't informed, I was trying to scratch my head as to why I didn't tell him at the time and my surmises are the best I can come up with. I am really surprised I did not discuss it with him at the time. My relations with him were good, and so my surmises are just the best I am able to do in 1975 over an episode that took place that many years ago. (Helms, 6/13/75, p. 90)

Several other Agency officials who were aware of the assassination plots testified that they had not told McCone of the plots. William Harvey testified that he never spoke with McCone about the operation involving underworld figures or assassination and that, to the best of his knowledge, McCone had not been told about the project. (Harvey, 6/25/75, p. 66)

Sheffield Edwards, when asked whether he had informed McCone about the plot, replied:

> Edwards: No, I did not inform Mr. McCone.
>
> Q.: Was there a reason for why you did not inform Mr. McCone?

> Edwards: Well, I did not want to drag Mr. McCone into this thing that in my opinion had petered out, and I did not want to involve him. (Edwards, p. 18)

James O'Connell, who was the case officer for the operation under Edwards, testified that he recalled that Edwards had told him during a discussion about the plots in 1965 that Edwards had not briefed McCone on the operation.

> As a matter of fact, I don't think he ever knew about it. From later conversations with Colonel Edwards, not recently, we talked about it, and he said that he was convinced that Mr. McCone never knew about it, it wasn't on his watch, so to speak, and he didn't want to get him involved. (O'Connell, pp. 37, 39)

George McManus, Helms' Special Assistant for Cuba during the relevant period, testified that he was not told about the assassination activities, and gave his opinion that if McCone had been asked to approve an assassination, he "would have reacted violently immediately".*

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*McManus advanced two reasons for this opinion:

(1) McCone had a great love for the President of the United States and he sort of looked at him as an older son or a brother, a very protective sense he had about the President, President Kennedy, and McCone would have immediately said Jesus, this is a no win ball game.

(2) Secondly, as an individual, he would have found it morally reprehensible. (McManus, p. 33)

(Continued)

Walter Elder, McCone's Executive Assistant, testified that he had not known of the underworld operation until August 1963, and that in his opinion McCone did not learn of the operation prior to that time.* (Elder, p. 15)

(iii) <u>Helms and Harvey Did Not Brief McCone About the Assassination Plots</u>

McCone assumed the position of DCI in November 1961. It was also in November 1961 that Bissell asked Harvey to assume operational control over the Castro plot involving underworld figures.** Richard Helms replaced Bissell in February of 1962 and was subsequently briefed by Harvey on

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(Continued)

McManus also testified:

> I always assumed that Mr. Helms would keep the Director fully informed of any activity that he thought was sensitive. . . . Under most circumstances, and indeed under all circumstances you can imagine, Helms would have told McCone, with the exception of a situation in which Helms had been told by higher authority not to tell him. (McManus, pp. 32-34)

*In August 1963 Helms gave McCone a copy of Edwards' May 14, 1962, memorandum to the Attorney General. See discussion <u>infra</u> at p. ____.

With respect to the Cuban assassination matters, where Colby's knowledge was only second-hand, Colby said: "Mr. McCone did not know of it." (Colby, 5/21/75, p. 101)

**See earlier discussion <u>supra</u>.

the existence of the assassination plots. Helms was Harvey's immediate superior and the person to whom he reported about the Castro plot activities.

Harvey testified that in the spring of 1962, when he was preparing to contact Roselli, he briefed Helms on the assassination plot. (Harvey, 6/25/75, p. 65) Harvey said:

> . . . I briefed Helms generally on the take-over of Roselli, on the doubts about the operation, on the possible . . . future of it, and to the extent it had then been possible, the assessment of Roselli and the cutting out of various individuals.*

Harvey testified that when he briefed Helms on the assassination plot operation, they decided that it would not be appropriate at that point to brief John McCone.

> There was a fairly detailed discussion between myself and Helms as to whether or not the Director should at that time be briefed concerning this. For a variety of reasons

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*Harvey testified that when he took over the Roselli operation, he had "cut out" both Maheu and Giancana because "regardless of what I may have thought of their trustworthiness, . . . they were surplus" to the operation. (Harvey, 6/25/75, p. 65)

> which were tossed back and forth, we agreed that it was not necessary or advisable to brief him at that time.
>
> I then said, as I recall, to Mr. Helms, if you decide in the future that he should be briefed, I would like to know about it in advance to which, to my best recollection, he agreed. (Harvey, 6/25/75, p. 66)

Harvey then offered the following explanation for why he and Helms had decided not to discuss the matter with McCone at that time:

> There were several reasons for this. One, this operation at that stage had not been assessed. It was obviously questionable on several grounds. It obviously involved knowledge by too many people. We were not even sure at that point it had any remote possibility or rather any real possibility for success. It had arisen with full authority insofar as either of us knew long before I knew anything about it, and before the then-Director became Director of the Agency.
>
> I saw no reason at that time to charge him with knowledge of this, at least until we reached the point where it appeared it might come to fruitation or had had a chance to assess the individuals involved and determine exactly the problem we faced, including the possible problem -- and it was a very, or it appeared to be, and in my opinion was, at that time, a very real possibility of this government being blackmailed either by Cubans for political purposes or by figures in organized crime for their own self-protection or aggrandizement, which, as it turned out, did not happen, but at that time was a very pregnant possibility. (Harvey, 6/25/75, pp. 67-68)

* * * * *

> I am definitely not saying that there was any effort to hide or conceal any information from the Director. There was not. This was a discussion as to whether or not it was even necessary or appropriate at this point to take details of this particular operation in an unassessed form to the then-Director at that time. (Harvey, 6/25/75, p. 69)

Harvey stated that he did not have any reason to believe that the assassination activities would have been "disapproved by the Director" had he been advised of the project (Harvey, 6/25/75, p. 69) and stated that he had thought the plots "were completely authorized at every appropriate level within and beyond the Agency". (Harvey, 7/11/75, p. 66) When asked why McCone had not been given an opportunity to consider the plot, Harvey replied:

> One of the things that I don't know from my own . . . knowledge . . . is who was briefed in exactly what terms at the time of the so-called Las Vegas flop that involved attempts to place a technical surveillance . . . in Dan Rowan's hotel room. (Harvey, 7/11/75, p. 46)

Harvey was queried on whether the reasons he had given for not briefing McCone were actually "reasons why he should [have been] briefed forthwith". Harvey replied:

> Well, Senator Huddleston, it will be quite easy in looking at it now to say, well, I can see your argument.
>
> All I can say to you in answer is at that time I didn't feel that it was necessary or advisable. I did not make this decision except in consultation, and had I been disagreed with, that would have been it. And I am not off-loading this on Richard Helms or attempting to at all. It isn't all that easy for me to go back this many years and sort of recast all of the reasoning and be sure I am accurate. And I don't also want to evade it by saying, well, it seemed like a good idea at the time. But actually it did.
>
> In other words, this was not something that either Helms or myself felt that at that stage there was any point in attempting to brief the Director on it until, at least, we had a somewhat better handle on it. . . .
>
> * * * * *
>
> And I might also add, if I may, . . . but as far as either one of us knew at that point he might have been or should have been briefed, if you want it that way, by either Allen Dulles or Richard Bissell. (Harvey, 7/11/75, pp. 67-71)

The 1967 Report prepared by the Inspector General for Helms states that Harvey said: "When he briefed Helms on Roselli, he obtained Helms' approval not to brief the Director." (I.G., p. 41)

Helms testified that he did not recall this conversation, but that he had no reason to doubt the accuracy of Harvey's testimony and the Inspector General's Report. (Helms, 6/13/75, pp. 32, 106)

Helms, when asked about Harvey's testimony that he and Harvey had agreed not to brief McCone, stated "I frankly don't recall having agreed to this."

> My recollection is that I had very grave doubts about the wisdom of this. . . . And as I recall it, we had so few assets inside Cuba at that time that I was willing to try almost anything. But the thing did not loom large in my mind at that time. I was enormously busy with a lot of other things, taking over a new job [as DDP]. Mr. McCone was realtively new in the Agency and I guess I must have thought to myself, well this is going to look peculiar to him and I doubt very much this is going to go anyplace, but if it does, then that is time enough to bring him into the picture. (Helms, 6/13/75, p. 33)

Helms also stated:

> It was a Mafia connection and Mr. McCone was relatively new to the organization and this was, you know, not a very savory effort. (Helms, 6/13/75, p. 92)

Helms later testified that he did not "recall ever having been convinced that any attempt was really made on Castro's life."

> I am having a very difficult time justifying before this Committee, because there is something in here that doesn't come together, even for me, I am sorry to say. Because if this was all that clear, as everybody seems to think it

> was, that there were those pills in that restaurant in Cuba and Castro was about to die, I certainly would have talked to McCone about it. And this never was that clear, I am sorry to say, but it never was, not at that time. (Helms, 7/17/75, p. 34)

On May 7, 1962, Edwards and the CIA's General Counsel, Lawrence Houston, briefed Attorney General Robert Kennedy on the operation involving underworld figures, describing it as terminated.*

Harvey told the Inspector General that:

> . . . on 14 May he briefed Helms on the meeting with the Attorney General, as told to him by Edwards. Harvey, too, advised against briefing Mr. McCone and General Carter and states that Helms concurred in this. (I.G., p. 65)

Harvey testified that what he had probably told Helms was that:

> Any briefing of the Director on the discussion with the Attorney General concerning this should come from Colonel Edwards and Larry Houston, the General Counsel, and not from the DDP unless we are asked. (Harvey, 6/25/75, p. 99)

Helms testified that he did not recall this conversation and remarked:

> It seems odd to me only because, if the Attorney General had been briefed on something it would seem very logical that it would be very important to brief the Director at that time on the same thing. (Helms, 6/13/75, p. 107)

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*The briefing is exhaustively described supra at p. ____.

According to the Inspector General's Report, Harvey and Roselli had a farewell dinner before Harvey went on an assignment to Rome in June 1963. The meeting was observed by the FBI, and Sam Papich, the FBI liaison with the CIA, notified Harvey

Harvey supplied poison pills and weapons to Roselli and his Cuban associates during a trip to Miami in April, 1962.* At a Special Group meeting on April 26, General Taylor requested that Harvey "attend the next meeting and report on agent activities" (Memo, McCone, 4/26/62). On April 26, Harvey was sent a memorandum informing him of General Taylor's request and McCone's wish to meet with Harvey and Lansdale "immediately on your return to discuss the Task Force Activities." (Memorandum, Elder to Harvey, 4/27/62).

Harvey testified that upon his return, he reported to the Special Group on the "status of the active and potential sources inside Cuba. . ."

Q.: "Did you report on the passage of the pills to Roselli?

Harvey: No, I did not.

Q.: Which you had just accomplished in Miami. . .for the purpose of assassinating Fidel Castro.

Harvey: No.

Q.: And did you report that to Mr. McCone when he asked you to tell him what you had done in Miami?

Harvey: No, I did not." (Harvey, 7/11, pp. 16-17.)

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that Hoover would be informed. Harvey asked Papich to call him if he felt that Hoover would inform the Director about the incident.

"Harvey said that he then told Mr. Helms of the incident and that Helms agreed that there was no need to brief McCone unless a call from Hoover was expected. (I.G., p. 54.)

* Harvey described the trip to Miami as

"one of a number of periodic trips for the purpose of reviewing in toto. . . the actual and potential operations at the Miami base. . . and this covered the whole gamut from personnel administration, operational support in the way of small craft (and) so on. . ." (Harvey, 7/11, pp. 15-16).

Harvey stated that he did not tell McCone or the Special Group about the operation at that time because:

> "I did not consider either, A, that this should be in any sense in this amorphous stage, surfaced to the Special Group, nor, as I have attempted to explain before that it should be briefed to John McCone at that point in the state that it was in with as little as we knew about it, and with all of the attendant background which at that point, and I was not personally cognizant of all of this, had been going on for approximately, as I recall, two to two-and-a-half years." (Harvey, 7/11, p. 18.)

Harvey attended an August 10, 1962 meeting of the Special Group Augmented.* He testified that a person [Robert McNamara] at that meeting suggested that the Special Group "consider the elimination or assassination of Fidel" (Harvey, 7/11, p. 30). Harvey then testified that on the day following this Special Group meeting (Harvey, 6/25, p. 71):

> "in connection with a morning briefing of John McCone, the question again came up and I expressed some opinion as to the inappropriateness of this having been raised in this form and at that forum [Special Group meeting], at which point Mr. McCone stated in substance that he agreed and also that he had felt so strongly that he had, I believe, the preceding afternoon or evening, personally called the gentleman who made the proposal or suggestion and had stated similar views as to the inappropriateness and that he [McCone] said in addition . . . if I got myself involved in something like this, I might end up getting myself ex-communicated."

McCone should have asked

Harvey stated that he did not tell McCone on that occasion about the actual assassination operation involving Roselli. He said (Harvey, 6/25, p. 73):

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*This meeting and the raising of the suggestion of assassination is discussed in depth in part _____, *infra*.

"I would like to recast the time that this took place. This was August of '62. This was at the start of the so-called Missile Crisis. . . .

"A tentative decision had been made at that point that the only sensible thing to do with [the Roselli operation] was to terminate it as rapidly and cleanly as it could be done . . . I am sure that I had discussed with Roselli, at least on a tentative basis, by August, the probable necessity of terminating this . . . ."

According to the Inspector General's Report, the "medicine" was reported to be still in Cuba at this time. (I.G., pp. 51-52) Harvey testified that the Report was referring to the pills (Harvey, 6/25, p. 105).*

In relation to the August 10 meeting, Helms was asked whether he believed McCone would have stopped an assassination attempt if he had known that one was underway. Helms stated:

Mr. Helms: "The reason I say I don't know . . . is that elsewhere Mr. McCone states that he went to see Mr. McNamara in connection with this August 1962 affair and told Mr. McNamara that he wouldn't have anything to do with this, that I have no recollection that I don't believe he ever said anything to me about his not wanting to have anything to do with it.

Q.: "And you were close to Mr. McCone in that period? You are his Deputy for Plans?

Mr. Helms: "I saw him almost daily.

Q.: "And is it your belief that if he had made any such statement to Mr. McNamara that he would have come to you and told you about it at some point?

Mr. Helms: "I just don't know why he didn't but I don't recall any such statement. As I said, and I would like to repeat it, Mr. McCone had given me my job, he had promoted me, I felt close to him, I felt loyal to him, and I would not have violated an instruction he gave me if I could have possibly helped it.

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*Harvey said:
"I may have deferred for a period of a few weeks giving an actual order to terminate this as soon as possible, ..." (Harvey, 6/25, p. 74).

O.: "But in any event, it is your judgment that he did not indicate that he was opposed to assassinations?

Mr. Helms: "Not to me."

Walter Elder, who served as McCone's Executive Assistant, testified, however, that he had personally told Helms of McCone's opposition to assassination after the August 10 meeting.*

(iv) The August 1963 Briefing of McCone

An August 16, 1963, Chicago Sun Times article claimed that the CIA had had a connection with Giancana.** McCone asked Helms for a report about the article. McCone testified that when Helms came to see him, he brought the following memorandum:

"1. Attached is the only copy in the Agency of a memorandum on subject, the ribbon copy of which was sent to the Attorney General in May of 1962. I was vaguely aware of the existence of such a memorandum since I was informed that it had been written as a result of a briefing given by Colonel Edwards and Lawrence Houston to the Attorney General in May of last year.

"2. I spoke with Colonel Edwards on the telephone last evening, and, in the absence of Mr. Bannerman on leave, I was with Colonel Edwards' assistance able to locate this copy. As far as I

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*Elder told the Committee:

"I told Mr. Helms that Mr. McCone had expressed his feeling . . . that assassination could not be condoned and would not be approved. Furthermore, I conveyed Mr. McCone's statement that it would be unthinkable to record in writing any consideration of assassination because it left the impression that the subject had received serious consideration by governmental policy makers, which it had not. Mr. Helms responded, 'I understand'. The point is that I made Mr. Helms aware of the strength of Mr. McCone's opposition to assassination. I know that Mr. Helms could not have been under any misapprehension about Mr. McCone's feelings after this conversation." (Elder Affidavit.)

**The 8/16/63 Chicago Sun Times article states that "Justice Department sources" believed that Giancana never did any spying for the CIA, but pretended to go along with the Agency "in the hopes that the Justice Department's drive to put him behind bars might be slowed - or at least affected - by his ruse of cooperation with another government agency."

am aware, this is the only written information available on Agency relationships with subject. I hope that this will serve your purpose.

"3. I assume you are aware of the nature of the operation discussed in the attachment." (Memorandum to Director of Central Intelligence, re: Sam Giancana, from Helms, 8/16/63.)*

That memorandum attached the May 14, 1962, memorandum to Attorney General Kennedy from Sheffield Edwards which described the operation as having been terminated before McCone became DCI. (See discussion, infra, p. _____.)

Neither McCone nor Helms were able to remember what was said at the meeting. Walter Elder, who was then McCone's Executive Assistant, recalled:

"Mr. Helms came in with [the memorandum]. He handed it to [McCone] who read it and . . . handed it back without any particular comment other than to say, 'Well, this did not happen during my tenure.'"

* * * * *

Q.: "Was anything else said?

A.: "No, he had very little to say about it.

Q.: "Did Mr. Helms then leave?

A.: "Mr. Helms left." (Elder, pp. 16-17, 57-59.)

Elder testified that he had concluded that the operation involved assassination from reading the two memoranda that were given to McCone (Elder, 8/13, p. 60). Elder "further concluded that [McCone] was perfectly aware of what Mr. Helms was trying to say to

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*When asked whether this entry in the memorandum suggested that he had previously been aware of the operation, McCone testified that Helms had orally informed him "on that day in August" that it involved assassination (McCone, p. 9).

him" (Elder, p. 60). Elder further testified:

> Q.: "Other than that conversation that you just described between yourself and Mr. McCone, did he have anything else to say about that memorandum?
>
> ~~Mr.~~ Elder: "No."
>
> Q.: "I take it then he did not tell either you or Mr. Helms that we absolutely could not have this activity going on in the future?
>
> Mr. Elder: "No."

The Inspector General's Report concluded that:

> "This is the earliest date on which we have evidence of Mr. McCone's being aware of any aspect of the scheme to assassinate Castro using members of the gambling syndicate." (I.G., p. 70).

(b) The Question of Authorization Outside The Central Intelligence Agency In The Eisenhower Administration.

1. Summary

As discussed in the preceding section, the evidence as to whether Allen Dulles, CIA Director during the Eisenhower Administration, was informed of the Castro assassination operation is not clear.

Even assuming that Dulles was so informed, authorization outside the CIA for a Castro assassination could, according to the testimony, only have come from President Eisenhower, from someone speaking for him, or from the Special Group.* At issue, therefore, is whether President Eisenhower, his close aides, or the Special Group authorized or had knowledge of the Castro assassination plots.

In addition to Bissell, we took considerable testimony from President Eisenhower's principal staff assistants, Gordon Gray (Special Assistant for National Security Affairs and President Eisenhower's representative on the Special Group); General Andrew Goodpaster (Staff Secretary to President Eisenhower with particular responsibility for

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* With respect to then Vice President Nixon, Bissell testified--and he was supported by the principal White House assistants and the documents--that Nixon was not significantly involved in Cuban matters generally at the critical times. There is no evidence suggesting his knowledge of the Castro assassination effort during the period under review, significant parts of which occurred during the Presidential campaign. (Bissell , p. ; Gray, 7/9, p. 39) Therefore, we concluded that, despite the indications in Nixon's book My Six Crises (p.) that he was involved in Cuban matters generally--and Howard Hunt's characterization of him as the [action officer] for the Bay of Pigs, there was insufficient reason to examine Mr. Nixon on Cuba looked at alone. We came to a contrary conclusion on Chile and . . . .

national security operational matters); John Eisenhower (Assistant Staff Secretary and the President's son) and from Thomas Parrott (Secretary to the Special Group and special assistant to Allen Dulles). In summary, the evidence was:

(i) Bissell testified that he did not inform the Special Group or President Eisenhower of the Castro assassination operation, and he had no personal knowledge that Allen Dulles informed either President Eisenhower or the Special Group. However, Bissell expressed the belief that Allen Dulles would have advised President Eisenhower (but not the Special Group) in a "circumlocutious" or "oblique" way. Bissell based this "pure personal opinion" on his understanding of Dulles' practice with respect to other particularly sensitive covert operations. But Bissell testified that Dulles never told him that he had so advised President Eisenhower regarding the Castro assassination operation, even though Dulles had told Bissell when he had employed this "circumlocutious" approach to the President on certain other occasions.

(ii) Gordon Gray testified that the Special Group never approved a Castro assassination, and that President Eisenhower had charged the Special Group with the responsibility of authorizing all important covert operations. A review of the records of Special Group meetings shows that a query concerning a plan to take "direct positive action" against Castro at a Special Group meeting caused Allen Dulles' Deputy, General Cabell, to advise that such action was beyond the CIA's capability. Gray, Goodpaster and John Eisenhower all affirmed (i) that they did not believe President Eisenhower would have considered such a matter in a private

meeting with Dulles, or indeed that President Eisenhower would have approved a Castro assassination in any event, and (ii) that he would not have discussed such a matter without telling them. They conclude, therefore, as a matter of opinion, that President Eisenhower was never told, and testify, as a matter of fact, that they never heard anything about any assassination at any time.

(iii) In addition to the I.G. Report (which found that the CIA could not say that any assassination activity carried on during this period was responsive to Administration pressure), the documentary evidence showed that the subject of Castro's removal was discussed at two meetings of the National Security Council and the Special Group in March 1960. The minutes of these meetings indicated that the discussions were in the context of a general consideration of the proposal to train a Cuban exile force for an invasion of Cuba and an assessment that Castro's overthrow might result in a Communist takeover. Gray and Admiral Burke testified that the discussion of Castro's removal at these meetings did not refer to assassination, but rather to the problem of creating an anti-Castro exile force strong enough to insure a non-Communist successor to the Castro regime. In any event, no action was shown to have stemmed from those meetings. An additional Special Group document showed that when a question regarding planning for "direct positive action" against Cuban leaders was raised at a meeting in the Fall of 1960 (shortly after Phase I of the CIA/underworld assassination operation was initiated), the Deputy Director of the CIA told the Special Group that such action was beyond the CIA's capability.

2. Richard Bissell's Testimony

(a) Lack of Personal Knowledge. Bissell testified that he knew nothing of clearances outside the CIA for the Castro assassination effort. (Bissell, 6/9, p. 30). Indeed, Bissell met frequently with the Special Group in the Fall of 1960 for the purpose of discussing Cuban operations, but never informed the Special Group that there was a plot underway involving use of underworld figures to assassinate Castro, (Bissell, 6/9, pp. 25-26); nor did Bissell inform President Eisenhower or Vice President Nixon or any other person outside the CIA (Bissell, 6/9, pp. 26-29). Bissell testified that his reason for not doing so was that as Deputy Director of Plans, he reported to the Director and under Agency procedures relied upon the Director to inform the appropriate persons outside the Agency. Thus, the question of President Eisenhower's knowledge rests on whether Allen Dulles personally informed him of the Castro plot.

(b) Assumptions Concerning Dulles. Based upon his belief that Dulles had been briefed about the operation involving underworld figures and understood that it involved assassination, Bissell assumed that Allen Dulles would have sought authorization above the CIA level. As Bissell testified:

> "I went on the assumption that, in a matter of this sensitivity, the Director would handle higher level clearances. By clearance I mean authorization."* (Bissell, 6/9, p. 26.) */

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*Bissell reiterated this view on his second day of testimony: ". . . I felt that the responsibility for obtaining necessary authorization should remain with the Director." (Bissell, 6/11, p. 4)

Bissell further stated that although he believed that Dulles "probably" talked with President Eisenhower:

> "the Mafia operation was not regarded as of enormous importance and there were much more important matters to talk about with the President." (Bissell, 7/17, p. 25.)

Bissell said he was "guessing" that Dulles informed Eisenhower. (Bissell 7/17, pp. 38-39.) He said, however, that he based his assumption on his knowledge of "command relationship, of Allen Dulles as an individual, and of his [Dulles'] mode of operations". (Bissell, 6/11, p. 6.) As Bissell explained, his guess that Dulles informed President Eisenhower "is not based on hard evidence" but is "pure personal opinion". (Bissell, 6/9, p. 61.) Nevertheless, he believed it to be so, and that the President thereupon gave his authorization "perhaps only tacitly". (Bissell, 6/11, p. 6.) As Bissell explained,

> "My guess is that indeed whoever informed him, that is Dulles directly or Dulles through a staff member, would have had the same desire. . . to shield the President and to shield him in the sense of intimating or making clear that something of the sort was going forward, but giving the President as little information about it as possible, and the purpose of it would have been to give the President an opportunity, if he so elected, to cancel it, to order it cancelled, or to allow it to continue but without, in effect, extracting from him an explicit endorsement of the detailed specific plan." (Bissell, 6/9, p. 61)

Bissell said circumlocution would have been used "to protect the President" in accord with the concept of "plausible deniability".*

As noted above, Bissell testified he had no personal knowledge that Dulles informed President Eisenhower of the Castro plot. On other specific occasions involving sensitive covert operations, Dulles had told Bissell he had used the "circumlocutious" approach with President Eisenhower. (Bissell, 6/11, p. 10.) But with respect to the Castro assassination attempt, Dulles did not so inform Bissell. (Bissell, 6/11, p. 11.) As Bissell testified:

> "I still want to be quite clear, I do not have a recollection of the Director telling me that on this specific operation he had made such an approach and received assent, approval, tacit or otherwise." (Bissell, 6/11, p. 11.)

does he not know or not that he did not say

As to whether Dulles knew of the plots and informed Eisenhower, we have discussed above the fact that in January 1960 Dulles had told the Special Group that the CIA "did not have in mind a quick elimination of Castro." (Memorandum of Special Group meeting, January 13, 1960, p.__). And in July 1960 an instruction by Bissell's deputy to attempt to kill Raul Castro, which also stated that "possible removal of top three leaders is receiving serious consideration at headquarters" had been countermanded. The CIA officer who drafted this instruction testified that he had heard at the time that it was Dulles who countermanded this instruction ~~and in~~ doing so had "indicated that assassination was not to be considered." (Hinkle, p. 29).

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* Bissell explained the "plausible deniability" practice as follows:

> "Any covert operations, but especially covert operations . . . that if successful, would have very visible consequences, it was of course an objective to carry out in such a way that they could be plausibly disclaimed by the U.S. Government." (Bissell, 6/11, p. 5.)

Bissell apparently assumed that a corollary to that doctrine required the use of "oblique", "circumlocutious" language.

(iii) White House Officials Denied Knowledge of Assassination Efforts and Gave the Opinion that President Eisenhower Was Not Informed.

1. Gordon Gray. Gordon Gray served as President Eisenhower's Special Assistant for National Security Affairs from July 1958 to the end of the Eisenhower Administration on January 20, 1961. (Gray, p. 4.) In this capacity, Gray served as the President's representative on the Special Group. (Gray, p. 4.) President Eisenhower specifically instructed Gray that all covert actions impinging on the sovereignty of another country must be deliberated by the Special Group. (Gray, p. 6.) Gray testified that during the period July 1958 to January 20, 1961, the Special Group never approved an action to assassinate Castro (Gray, p. 6) and no such suggestion was made by Bissell. (Gray, p. 37.)

Gray testified he did not believe Allen Dulles would have approached President Eisenhower without informing Gray. Gray stated:

> "I find it very difficult to believe, and I do not believe, that Mr. Dulles would have gone independently to him with such a proposal without, for that matter, my knowing about it from Mr. Dulles." (Gray, p. 35.)*

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* Gray pointed out "that I was not with President Eisenhower twenty-four hours a day. It was a few minutes every day, practically every day." (Gray, p. 35.)

According to the records of the Eisenhower Library, Dulles was alone with President Eisenhower on one occasion in the Fall of 1960. That meeting lasted ten minutes on November 25, 1960. The record of the previous portion of the meeting attended by Gray indicates only that, in addition to discussion of operations in another country, "there was also some discussion of Cuba". (Memorandum, November 28, 1960, by Gordon Gray, of Meeting with the President, November 25, 1960 at 10:40 A.M.). We feel compelled to state that the fact of this brief meeting, on the evidence available, is of little, if any, significance or relevance.

Gray further testified that his relationship with President Eisenhower was such that President Eisenhower "would discuss with me anything that came to his attention independently of me." (Gray, p. 7.) And Gray testified that President Eisenhower never discussed with him the subject of a Castro assassination or of the use of the underworld figures and Cubans in such an effort. (Gray, p. 7.)

2. Andrew Goodpaster. Goodpaster served as President Eisenhower's Staff Secretary and Defense Liaison Officer during the last two years of the Eisenhower Administration. (Goodpaster, p. 3.) In addition to responsibility for the President's schedule and the supervision of the White House staff, Goodpaster was responsible for handling with the President "all matters of day to day operations" in the foreign affairs and national security field, including the activities of the CIA and the Departments of State and Defense. (Goodpaster, p. 3.) Goodpaster testified that he had a "very close personal relationship" with President Eisenhower and saw the President "essentially every day when [President Eisenhower] was in Washington (Goodpaster, p. 4). Along with Gordon Gray, Goodpaster served as the channel between the CIA and the President. Goodpaster was the particular channel for "operations in which [President Eisenhower] might take a personal part". (Goodpaster, p. 4.)

Goodpaster testified that he never heard any mention of assassination efforts. (Goodpaster, p. 5.) He said that President Eisenhower never told him about any assassination effort and that it was his belief, under White House procedures and by virtue of his close relationship with President Eisenhower, that if an assassination plan or operation had ever been raised with the President, he would have learned of it. (Goodpaster, p. 5.)

Beyond this General Goodpaster testified that he found Bissell's assumption of a "circumlocutious" personal conversation between Dulles and the President "completely unlikely".

> "That was simply not the President's way of doing business. He had made it very clear to us how he wanted to handle matters of this kind, and we had set up procedures to see that they were then handled that way." (Goodpaster, pp. 6-7)

According to Goodpaster, after the collapse of the Paris Summit Conference between President Eisenhower and Premier Khruschev as a result of the U-2 incident in the Spring of 1960, the Eisenhower Administration reviewed its procedures for approval of CIA operations and tightened them. General Goodpaster testified that this review was carried out

> "with the aim in mind of being sure we had full and explicit understanding of any proposals that came to us and we knew from [President Eisenhower] that in doing that we were responsive to a desire on his part." (Goodpaster, p. 7.)

Secondly, according to Goodpaster, the relationship between President Eisenhower and Allen Dulles was quite different from that between the President and John Foster Dulles. He said John Foster Dulles was a confidant of the President while Allen Dulles was not. (Goodpaster, p. 8.)

3. <u>Thomas Parrott.</u> Thomas Parrott, a CIA officer, served as Secretary of the Special Group from 1957 through the end of the Eisenhower Administration (and thereafter until October 1963). (Parrott, p. 4.) Parrott stated that, by virtue of this assignment, he functioned as Allen Dulles' assistant in connection with the Special Group, knew Dulles well, and gained an understanding of Dulles' method of expression and his

practice for dealing with the President. (Parrott, pp. 13-14.)*

Parrott testified that early in 1959, President Eisenhower directed the Special Group to meet at least once a week to consider, approve, or reject all significant covert action operations (Parrott, p. 4.) Parrott testified it would have been "highly unlikely" for President Eisenhower to have instructed the CIA to carry out a covert operation without informing the Special Group. Parrott testified:

> "as evidenced in his . . . revitalization . . . of this Committee [the Special Group], [President Eisenhower was] highly conscious of the necessity to be protective . . . in this field, and I just cannot conceive that [President Eisenhower] would have gone off and mounted some kind of covert operation on his own. This certainly would not have been consistent with President Eisenhower's staff method of doing business . . . "** (Parrott, p. 7.)

4. <u>John Eisenhower.</u> John Eisenhower, President Eisenhower's son, served in Goodpaster's office as Assistant Staff Secretary from mid-1958 to the end of the Eisenhower Administration. (Eisenhower, pp. 5, 9) He testified that his father had confided secret matters in him "to a very large extent". (Eisenhower, p. 3.) For example, he said that after the Potsdam Conference in July 1945, then Gen. Eisenhower told him that the United States had developed the atomic bomb at a time when this was highly

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* Parrott testified:

> "I saw him [Allen Dulles] several times a week for hours at a time. I had known him somewhat before . . . but I got to know him very well indeed during these four years." (Parrott, p. 13.)

** Parrott further testified that Allen Dulles followed a practice of insisting upon specific orders rather than "tacit approval" and he also found Bissell's assumptions regarding a circumlocutious conversation between President Eisenhower and Allen Dulles "hard to believe". (Parrott, p. 14.)

re [illegible]

secret information. (Eisenhower, p. 3.) And he said that as early as 1956, President Eisenhower told him of the secret U-2 flights. (Eisenhower, p. 4.)

John Eisenhower testified, as a matter of fact, that President Eisenhower never told him of any CIA activity involving an assassination plan or attempt with respect to Castro. (Eisenhower, p. 5.) Based on his father's practice in other matters, it was his opinion that President Eisenhower would have told him if the President had known of any such activity. (Eisenhower, p. 5.) He further testified that President Eisenhower did not deal with important subjects in a circumlocutious manner. (Eisenhower, p. 8.) John Eisenhower further testified that it was his father's belief that no leader was indispensable, and thus assassination was not an alternative in the conduct of foreign policy. (Eisenhower, p. 14.)

(iv) The Documents

1. The Inspector General's Report

The document latest in date which bears upon the issue of authorization for Phase I of the Castro assassination efforts is the 1967 Inspector General's Report. In the concluding section of the Report to Director Helms, the authors advanced several possible Agency responses to Drew Pearson's public charges regarding CIA/underworld links.* One of the

* On March 3, 1967, Drew Pearson stated in his newspaper column that there was a U.S. "plot" to assassinate Castro, and that "one version claims that underworld figures actually were recruited to carry out the plot." (Pearson, Washington Merry Go-Round, March 3, 1967)

questions they asked was whether the Agency could say it was acting pursuant to Government policy -- or as they put the question: "Can CIA state or imply that it was merely an instrument of policy?" The answer given was:

> "Not in this case. While it is true that Phase Two (the attempt commencing in April 1962) was carried out in an atmosphere of intense Kennedy Administration pressure to do something about Castro, such is not true of the earlier phase." (I.G., p. 132).

In addition to the I.G. Report, we examined the records of the National Security Council and the Special Group, as well as other relevant White House files bearing on the question of authorization for the period from Castro's rise to power to the end of the Eisenhower Administration. As we discuss below, three documents were found which contained references arguably related to the subject of assassination.

2. The Contemporaneous Documents

In March 1960, the National Security Council and the Special Group focused on Cuban policy. President Eisenhower had just returned from a foreign trip in which

> "Latin American Presidents had counseled further forbearance by the U.S. in the hope that the members of the Organization of American States would finally see the potential danger in Cuba and take concerted action." (Gray, Ex. 2, Memorandum of March 10, 1960 NSC Meeting, p. 8).

Castro was characterized as hostile, but his Communist ties were apparently then unclear. Indeed, it may have been the prevailing opinion, at that time, that Castro was not actually a Communist.* For it was stated in the minutes of the March 10, 1960 NSC meeting:

> "there is no apparent alternative to the present government in the event Castro disappears. Indeed the result of Castro's disappearance might be a Communist takeover." (Gray, Ex. 2, p. 7).

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* Castro apparently first announced publicly that he was a "Marxist-Lenist" on December 2, 1961. (David Larson, Cuba Crisis of 1962, p. 304).

Out of these March 1960 meetings of the NSC and Special Group came the general covert action plan against Cuba.*

Against this background of general discussions of Cuba, we considered certain remarks appearing in the records of a March 10, 1960 National Security Council meeting and a March 14, 1960 Special Group meeting.

The record of the NSC meeting of March 10, 1960 (at which President Eisenhower was present) states that Admiral Arleigh Burke, in commenting on Allen Dulles' statement that the Cuba covert action plan was in preparation, "suggested that any plan for the removal of Cuban leaders should be a package deal, since many of the Cuban leaders around Castro were even worse than Castro." (Gray Ex. 2, p. 9). And, according to the minutes of a Special Group meeting on March 14, 1960 (which President Eisenhower did not attend) "there was a general discussion as to what would be the effect on the Cuban scene if Fidel and Raul Castro and Che Guevara should disappear simultaneously." (Gray Ex. 3, p. 2).

Admiral Burke, who served as Chief of Naval Operations from 1955 to 1961, stated in an affidavit** that although he did not have a specific recollection of the March 10, 1960 meeting of the National Security Council, he had a clear recollection of the discussions of Cuba policy that took place in the spring of 1960. (Burke affidavit, p. 1). Burke stated that the reference to the suggestion by him at the March 10, 1960 meeting "clearly refers to the

* As Gray testified, this plan covered four areas: sabotage, economic sanctions, propaganda, and training of a Cuban exile force for a possible invasion. Gray stated that this plan had nothing to do with assassination. (Gray, 7/9/75, p. 17).

** Admiral Burke was unable to testify in person before the Committee because he was in the hospital.

general covert action plan reported by Allen Dulles at that meeting and to the general consideration given at that time in the U. S. Government to identify Cuban groups with which the U.S. might work to overthrow the Castro regime." (Burke affidavit, p. 1). Burke stated:

> "In this connection, it was my view that the U.S. must support those Cuban groups who would have a sufficient power base among the Cuban people, not merely to overthrow Castro, but to be able to cope with and dismantle his organization as well. It was my firm belief at the time that many people in Castro's organization were Communist and that Castro was probably a Communist. I therefore advocated that any effort to support groups so as to achieve Castro's overthrow must focus, not merely on the leaders at the top of the Castro regime, but on the very strong organization that had been the key to Castro's rise to power, and was the basis for his power." (Burke affidavit, p. 1-2).*

Burke stated further:

> "The question of a Castro assassination never arose at the March 10, 1960 NSC meeting or at any other meeting or discussion that I attended or in which I participated. It is my firm conviction based on five years of close association with President Eisenhower during my service as Chief of Naval Operations, that President Eisenhower would never have tolerated such a discussion, or have permitted anyone to propose assassination, nor would he have ever authorized, condoned, or permitted an assassination attempt." (Burke affidavit, p. 2).

Gray testified that the discussion at the March 10 and March 14, 1960 meetings dealt with plans to overthrow the Castro government, rather than to assassinate Castro himself. He said that Admiral Burke's recorded comment at the March 10, 1960 NSC meeting was part of a lengthy and general discussion of the problem of Cuba. At the outset of that discussion, it was Under Secretary of State Douglas Dillon who pointed out that "the result of Castro's disappearance might be a Communist takeover." (Gray Ex. 2, p. 7; Gray, p. 11). And

Admiral Burke's reference to a "package deal" for the removal of Cuban leaders was in direct response to a comment by Allen Dulles recorded in the minutes that "a plan to affect the situation in Cuba was being worked on." (Gray Ex. 2, p. 9; Gray pp. 13-14). Gray said he believed that Mr. Dulles "was certainly referring to" the Eisenhower Administration's plan to train Cuban exiles for an invasion, rather than a targeted attempt on Castro's life.*/ (Gray pp. 14, 45). Gray testified that viewing Admiral Burke's remarks in context, he believed it was clear that "Admiral

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*/ A CIA memorandum of an internal CIA meeting (Memorandum of First Meeting of Branch 4 Task Force, March 9, 1960), shows that the first meeting of the CIA task force established to plan the training of a Cuban exile force was held on March 9, 1960, the day before the March 10, 1960 NSC meeting. (Memorandum of First Meeting of Branch 4 Task Force, March 9, 1960). At that March 9, 1960, CIA meeting, the CIA task force discussed "an operation directed at the overthrow of the Castro regime" and described that operation as one in which a Cuban exile force would be trained for "6-7 months." In the discussion of this operation, it was noted that a principal problem was the weakness of the Cuban exile groups which "had no real leader and are divided into many parts," but it was hoped that during the long training period the "opposition groups will have been merged and will have formed a government-in-exile to which all trained elements could be attached." (Id., p. 2).

According to the memorandum of the meeting, chief of the CIA's Western Hemisphere division J. C. King, had stated, "unless Fidel and Raul Castro and Che Guevara could be eliminated in onepackage - which is highly unlikely - this operation can be a long, drawn-out affair and the present government will only be overthrown by the use of force." (Id., p. 1).

Burke ... was expressing his opinion that if you have any plan /for the overthrow of Castro/ it ought to take these factors into consideration, that you might end up with a Communist government." (Gray, p. 45).

With respect to the March 14, 1960 Special Group meeting, Admiral Burke stated that the "general discussion" referred to in the record of that meeting "clearly did not involve a discussion of assassination of Cuban leaders, but to the possible effects should only those leaders be overthrown by a group not powerful enough to also master the organization those leaders had established in Cuba." (Burke affidavit, p. 2) Burke stated further:

> "Thus, it was consistent with my views then that I should have been recorded in the record of the March 14 meeting as warning in this discussion that the Communists might move into control even if these three top leaders should be overthrown. As stated above, I strongly believed that a strong, organized group must be in the forefront of any effort to overthrow the Castro government." (Burke affidavit, p. 2).

In any event, when a question "whether any real planning had been done for taking direct positive action against Fidel, Raul and Che Guevara" was subsequently asked at a Special Group meeting on November 3, 1960, the Deputy Director of the CIA, General Cabell, according to the record of that meeting, pointed out

> "that action of this kind is uncertain of results and highly dangerous in conception and execution, because the instruments must be Cubans. He felt that, particularly because of the necessity for simultaneous action, it would have to be concluded that (such action) is beyond our capabilities." (Gray Ex. 1, p. 3).

* The record of the March 14 meeting states: "Admiral Burke said that the only organized group within Cuba today were the Communists and there was therefore the danger they might move into control." (Gray Ex. 3, p. 2)

The reference to "direct positive action" is ambiguous and can be subject to a number of different interpretations, including a question suggesting exploration of assassination.* However, it is clear that at most a question was being asked. Moreover, assuming that "direct positive action" meant killing, it is significant that shortly after assassination plots were begun, the CIA Deputy Director told the Special Group that such action was "beyond our capabilities."

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* Testimony varied as to the meaning of the phrase "direct positive action" and General Cabell's response in the November 3, 1960 memorandum.

Gray testified that the phrase "direct positive action" could be taken to include assassination, but he did not know whether Mr. Merchant intended to refer to assassination or not. (Gray, 7/9, p. 9).

Parrott, the author of the memorandum, testified that, although he had no recollection of the November 3, 1960 meeting, it was his opinion, based on the context of weekly Special Group meetings and discussion in the Fall of 1960, that this discussion centered on the possibility of a palace coup, as opposed to a paramilitary operation mounted from outside Cuba; General Cabell was indicating that "we simply do not have agents inside of Cuba to carry out this kind" of a coup. (Parrott, pp. 19-21) Parrott also testified that the phrase "direct positive action" was not a euphemism, and that he did not employ euphemisms in Special Group records, except for references to the President. (Parrott, pp. 19-21). We discuss in greater detail at pp. ____, ____, and ____ other ambiguous phrases in minutes and memoranda drafted by Parrott.

Bissell testified that he found it "difficult to understand" that General Cabell would have told the Special Group that it was beyond the CIA's capabilities to take "direct positive action" (if that referred to assassination) in light of Bissell's assumption that General Cabell was informed of the CIA/underworld assassination effort. (Bissell, 7/17, pp. 15-18).

assass capability briefing by SG

Mr. Merchant was unable to testify because of ill health and orders of his physician.

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c. THE QUESTION OF AUTHORIZATION DURING THE KENNEDY ADMINISTRATION

The evidence on the issue of whether or not assassination plots were authorized during the Kennedy Administration is divided herein into two broad sections. The first primarily relates to the assassination operation involving underworld figures and occurring prior to the Bay of Pigs invasion of April, 1961. The second section deals with the Post-Bay of Pigs period, including the Roselli operation in the spring of 1962, Operation Mongoose, the laboratory schemes in early 1963, and the AM/LASH plot in the fall of 1963.

(i) PRE-BAY OF PIGS ASSASSINATION PLOTS

The pattern of testimony for this period was essentially the same as for the Eisenhower Administration. Bissell, once again, said he assumed and believed that Dulles had met with President Kennedy and informed him, in a circumlocutious fashion, that the operation had been planned and was being attempted. Bissell also testified that he (Bissell) did not inform the President about the assassination efforts or any of the other non-CIA persons with whom he was working on covert Cuban operations. The Kennedy Administration officials all testified that they did not know about or authorize the plots. Furthermore, they said they did not believe the President did or would authorize an assassination plot.

There were for this period no significant contemporaneous documents.

a. BISSELL WAS OF THE OPINION THAT DULLES HAD INFORMED PRESIDENT KENNEDY THAT THE ASSASSINATION OPERATION HAD BEEN PLANNED AND WAS BEING ATTEMPTED

When John F. Kennedy became President in January, 1961, Richard Bissell was still Deputy Director for Plans and the principal agency official responsible for the ongoing efforts against the Castro regime, including both the Bay of Pigs operation and the assassination plots. Bissell is the only sur-

viving CIA policy maker with first hand knowledge of high-level decision-making in the early phases of the Castro assassination efforts. Bissell testified that he believed Allen Dulles had informed the President (although Dulles did not so inform him) and that accordingly the plots had been approved by the highest authority. Bissell was questioned about how he felt the President would have been made aware of the plots:

> "Senator Baker: ...You have no reason to think that he [Dulles] didn't or he did [brief President Kennedy]. But the question I put was whether or not in the ordinary course of the operations of the CIA as you know it under their traditions, their rules and regulations, their policies as you knew them what in your opinion -- [w]as the President, President-elect briefed or was he in the light of all these circumstances?
>
> Bissell: I believe at some stage the President and the President-elect both were advised that such an operation had been planned and was being attempted.
>
> Senator Baker: By whom?
>
> Bissell: I would guess through some channel by Allen Dulles.
>
> The Chairman: But you're guessing, aren't you?
>
> Mr. Bissell: I am, Mr. Chairman, and I have said that I cannot recollect the giving of such briefing at the meeting with the President-elect in November or in any meeting with President Eisenhower." (6/9/75, pp. 38-39).

Bissell's testimony varied with respect to the force with which he stated his belief that the President had been informed. Once he referred to it as "a pure personal opinion" (Bissell, 6/9/75, pp. 60-1); on another occasion he testified as follows:

> "Senator Morgan: Mr. Bissell, it's a serious matter to attribute knowledge of this sort to the President of the U.S., especially one who cannot speak for himself. Is it fair to assume that out of an abundance of caution you are simply telling us that you have no knowledge unless you are absolutely certain?...I gather that you think ...it [assassination plot information] came out but because of the seriousness of the accusation you are just being extremely cautious...is that a fair assumption to make?
>
> Bissell: That is very close to a fair assumption, sir. It's just that I have no direct knowledge, first-hand knowledge of his [President Kennedy's] being advised, but my belief is that he knew of it [assassination plans]." (Bissell, 6/9, p. 56).

When asked why he had not himself informed White House officials or the President of the assassination plots, Bissell said since Dulles was the DCI, he "left the question of advising senior officials of the government and obtaining clearances in Allen Dulles' hands" (Bissell, 6/9/75, pp. 29, 33). As with President Eisenhower, Bissell said that, based upon his testimony that Dulles knew about the assassination plot, he "assumed" that Dulles

> "had at least intimated [to President Kennedy] that some such thing was underway." (Bissell, 6/9/75, p. 33).*

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* The Presidential logs from the Kennedy Administration indicate only one meeting before the Bay of Pigs invasion at which the President and Allen Dulles may have met privately. This meeting took place on March 25, 1961. (There is no record of the meeting. We feel compelled to state that the fact of this meeting, on the evidence available, is of little, if any significance or relevance.

Again as part of his "pure personal opinion" (Bissell, 6/9/75, p. 60) that this was done, Bissell speculated that Dulles would have engaged in a "circumlocutious" sort of conversation. (Bissell, 6/11/75, p. 6), using "rather general terms."

Bissell repeatedly coupled Eisenhower and Kennedy together when he speculated about the manner in which he felt the Presidents would have been advised to maintain "plausible deniability." (Bissell, 6/9/75, pp. 38, 57; 6/11/75, pp. 5-6):

> "In the case of an operation of high sensitivity of the sort that we are discussing, there was a further objective that would have been pursued at various levels, and that was specifically with respect to the President, to protect the President. And, therefore, the way in which I believe that Allen Dulles would have attempted to do that was to have indicated to the two successive Presidents the general objective of the operation that was contemplated, to make that sufficiently clear so that the President -- either President Eisenhower or President Kennedy -- could have ordered the termination of the operation, but to give the President just as little information about it as possible beyond an understanding of its general purpose. Such an approach to the President would have had as its purpose to leave him in the position to deny knowledge of the operation if it should surface.
>
> "My belief -- a belief based, as I have said, only to me knowledge of command relationship of Allen Dulles as an individual, and of his mode of operations -- is that authorization was obtained by him in the manner that I have indicated. I used the word on Monday "circumlocutious," and it was to this approach that I referred.
>
> "Assuming for the moment that I am correct, since the effort would have been to minimize the possibility of embarrassment to the President, it is, I think, understandable that neither I nor anyone else in the Agency would have discussed this operation on our own initiative with, for instance, members of the White House staff.

> The effort would have been to hold to the absolute minimum the number of people who knew that the President had been consulted, had been notified and had given, perhaps only tacitly, his authorization." (Bissell, 6/11/75, pp. 5-6).

However, Bissell testified that Dulles never told him he had briefed President Kennedy and he did not recall asking Dulles. (Bissell, 6/9/75, p. 34; 6/11/75, p. xx; 7/17/75, p. 27). In contrast, Bissell testified that on certain other occasions, Dulles had mentioned that a "circumlocutious" approach had been used to brief President Eisenhower on sensitive subjects (Bissell, 6/11/75, pp. 10-14). Bissell also said that he never asked to what degree Dulles had advised McGeorge Bundy, Special Assistant to the President for National Security Affairs, of the assassination plot. (Bissell, 6/9/75, p. 34).

b. <u>BISSELL TESTIFIED HE DID NOT INFORM THE PRESIDENT OR WHITE HOUSE OFFICIALS OF THE ONGOING ASSASSINATION PLOTS.</u>

When asked if he had informed anyone outside the CIA that an effort to assassinate Fidel Castro was underway, Bissell stated, "not to my recollection." He added that he was not told that any Administration official had been made aware of such efforts. (Bissell, 6/9/75, pp. 28-30).

After the change of Administration, McGeorge Bundy was the White House official who was the liaison with Bissell concerning Cuba and in general was the principal White House official responsible for CIA matters (Bissell, 6/9/75, p. 16). Bundy was a former student of Bissell's at Yale and they were personal friends (Bissell, 6/9/75, p. 28). Bissell testified that he did not tell Bundy about the ongoing Castro assassination plots (Bissell, 6/9/75, pp. 28-29; 7/22, p. 31), and Bundy confirmed this (Bundy, p. 41).

Cuban affairs during this period leading up to the Bay of Pigs received active high-level attention. Bissell said that, in a continuation of the kind of intense weekly scrutiny the Eisenhower Administration had given the invasion plans (Bissell, 6/9/75, p. 13).

> "...almost from the beginning of the Kennedy Administration, the President himslef and a number of Cabinet members and other senior officials took a very active interest in the operation(s) concerning Cuba." (Bissell, 6/9/75, p. 16).

Bissell "almost invariably" was present at meetings in which the President and other senior officials took an "active interest" in Cuba (Bissell, 6/9/75, p. 17). Bissell testified that he did not inform any of them of the assassination plot. (Bissell, 6/9/75, p. 39).

c. KENNEDY ADMINISTRATION OFFICIALS DENIED KNOWLEDGE OF ASSASSINATION EFFORTS AND GAVE OPINION THAT PRESIDENT KENNEDY WAS NOT INFORMED

Testimony was taken by the Committee from all living officials high in the Kennedy Administration who dealt with Cuban affairs.* The theme of their testimony -- which is set forth in detail below -- was that they had no knowledge of any assassination plan or attempt by the U.S. government before or after the Bay of Pigs invasion.

As with the Eisenhower Administration officials, members of the Kennedy Administration also said they did not believe the President's character or style of operating would be consistent with approval of such a matter. (McNamara, p. 4; Bundy, p. 98; Taylor, pp. 45,51).

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* Most of the testimony from officials high in the Kennedy Administration dealt with the period after the Bay of Pigs invasion, involving Operation Mongoose and related activities. (See Section , infra.) It was during this period that most of the high officials in the White House, State Department, Defense Department, and the CIA were drawn into the detailed planning of Cuban operations. During this period, an extraordinary amount of decision making memoranda and other documents were generated in response to the Cuban situation.

Secretary of State Dean Rusk testified:

> "I never had any reason to believe that anyone that I ever talked to knew about had any active planning of assassination underway." (Rusk, pp. 65,49).

Likewise, Secretary of Defense Robert McNamara stated that he had "no knowledge or information about...plans or preparations for a possible assassination attempt against Premier Castro." (McNamara, pp. 7,4). [The question of whether McNamara once raised the issue of assassinating Castro is discussed at Section ,*infra*.]

Roswell Gilpatric, Deputy Secretary of Defense under McNamara, said that killing Castro was not within the mandate of the Special Group which he construed to be the weakening and undermining of "the Cuban system." (Gilpatric, p. 28).

This was supported by General Maxwell Taylor, who chaired Special Group meetings on Operation Mongoose. Taylor stated that he had "never heard" of the assassination effort against Castro (Taylor, pp. 72, 7-8). Taylor stated that he never raised the question of assassination with anyone. (Taylor, p. 19). Moreover, Taylor testified that he was not aware of a directive for an assassination effort from the President or the Attorney General, nor was he aware of a proposal for the assassination of a foreign leader in any form by anyone to the Special Group (Taylor, pp. 41,45,62).

McGeorge Bundy stated that it was his "conviction" that

> "no one in the Kennedy Administration, in the White House, or in the Capitol, ever gave any authorization, approval, or instruction of any kind for any effort to assassinate anyone by the CIA." (Bundy, p. 54)

Furthermore, Bundy testified that he was never told by anyone at any time that assassination efforts were being conducted against Castro (Bundy, p. 63). Bundy said that Richard Bissell never informed him about CIA involvement in assassination attempts against any foreign leader (Bundy, p. 41). Bundy acknowledged, however, that he had once been briefed by Richard Bissell on the development of an "executive action capability" at the CIA (see Section , *infra*).*

Walt Rostow, who shared national security duties with Bundy before moving to the Department of State, testified that during his entire tenure in government he "never heard a reference" to an intention to undertake an assassination effort (Rostow, pp. 10, 12-13, 38).

Asked if he had ever been told anything about CIA efforts to assassinate Castro, Richard Goodwin, Assistant Special Counsel to the President, replied, "No, I never heard of such a thing." (Goodwin, p. 13).**

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* As indicated further below, Bundy also said (i) that the matter of a Castro assassination was "mentioned from time to time ... as something to talk about rather than to consider." (Bundy, p. 73); and (ii) he had a "very vague, essentially refreshed recollection" that at some time he had heard about "poison" in connection with a "possibility of action in Cuba" -- what stuck in his mind was that it seemed "totally impractical because it was going to kill a large number of people in a headquarters mess or something like that." (Bundy, pp. 42-43). Bundy stated flatly, however, that no assassination plot was approved and that he was never informed about the various plots. (Bundy, pp. 54, 63-64).

** As indicated below, Goodwin did on two occasions hear questions raised about assassination. One involved the President, who said he was opposed (see p.); the other involved the meeting of August 10, 1962 (see pp. to).

Presidential Assistant Theodore Sorensen said that his "first-hand knowledge" of Cuban affairs was limited to the post-Bay of Pigs period (Sorensen, p. 4). Sorensen stated, however, that his general opinion based upon his close contact with President Kennedy, was that

> "such an act [as assassination] was totally foreign to his character and conscience, foreign to his fundamental reverence for human life and his respect for his adversaries, foreign to his insistence upon a moral dimension in U.S. foreign policy to his pragmatic recognition that so horrendous but inevitably counterproductive a precedent committed by a country whose own chief of state was inevitably vulnerable could only provoke reprisals and inflame hostility." (Sorensen, p. 5).

verbiage

Sorensen also said that President Kennedy "would not make major foreign policy decisions alone without the knowledge or participation of one or more of those senior foreign policy officials in whose judgment and discretion he had confidence." (Sorensen, pp. 5-6).

Sorensen concluded his testimony by providing the Committee his judgment on the following question:

> "Q: Would you think it would be possible that ... the Agency, the CIA could somehow have been under the impression that they had a tacit authorization for assassination due to a circumspect discussion that might have taken place in any of these meetings?
>
> Sorensen: It is possible, indeed, I think the President on more than one occasion felt that Mr. Dulles, by making rather vague and sweeping references to particular countries was seeking tacit approval without ever asking for it, and the President was rather concerned that he was not being asked for explicit direction and was not being given explicit information, so it is possible. But on something of this kind, assassination, I would doubt it very much. Either you are for it or you are not for it, and he was not for it." (Sorensen, 7/21/75, pp. 32-33.)

d. THE QUESTION OF WHETHER ASSASSINATION EFFORTS WERE DISCLOSED IN VARIOUS BRIEFINGS OF ADMINISTRATION OFFICIALS.

(i) BRIEFING OF THE PRESIDENT-ELECT.

After the election, in the latter part of November, 1960, Dulles and Bissell jointly briefed President-elect Kennedy on "the most important details with respect to the operation which became the Bay of Pigs." (Bissell, 6/9/75, p. 34). Bissell testified that he did not believe the ongoing assassination efforts were mentioned to the President-elect, and that to the best of his recollection they were not. (Bissell, 6/9/75, pp. 27, 35-36). Bissell surmised that the reasons he and Dulles did not tell Kennedy at that initial meeting were: (a) "apparently" they had not thought it was an important matter*; and (b) they "would have thought that that was a matter of which he should be advised upon assuming office rather than in advance." (Bissell, 6/9/75, p. 35). The latter comment led to the following exchange:

> "The Chairman: Isn't it a strange distinction that you draw that on the one hand (as) a Presidential designate, as President-elect, he should have all of the details concerning a planned invasion of Cuba, but that he should not be told about an ongoing attempt to assassinate Fidel Castro?
>
> Mr. Bissell: I think that in hindsight it could be regarded as peculiar, yes.
>
> "The Chairman: ...(I)t just seems too strange that if you were charged with briefing the man who

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* This was subsequently repeated by Bissell in response to examination of his assumption that Dulles probably told President Eisenhower about the assassination operation:

> "...the Mafia operation was not regarded as of enormous importance and there were much more important matters to talk about with the President." (Bissell, 7/17/75, p. 25).

> was to become President of the U.S. on matters so important as a planned invasion of a neighboring country, and that if you knew at the time in addition to the planned invasion there was an ongoing attempt to assassinate the leader of that country, that you would tell Mr. Kennedy about one matter and not the other.'"
>
> Mr. Bissell: Well, Mr. Chairman, it is quite possible that Mr. Dulles did say something about an attempt to or the possibility of making use of syndicate characters for this purpose. I do not remember his doing so at that briefing. My belief is that had he done so, he probably would have done so in rather general terms and that neither of us was in a position to go into detail on the matter. " (Bissell, 6/9/75, p. 35).

However, Bissell also testified generally that pursuant to the doctrine of plausible denial, efforts were made to keep matters that might be "embarrassing" away from Presidents (Bissell, 6/11/75, pp. 5-6).

(ii) DISCUSSION WITH BUNDY ON "EXECUTIVE ACTION CAPABILITY"

As explained in the next section, sometime during the early period of the Kennedy Administration, Bissell discussed with Bundy the subject of a "capability" for "executive action" -- a term said by Bissell to include various means of "eliminating the effectiveness" of foreign leaders up to and including assassinations (Bissell, 7/22/75, p. 32).

There is some dispute concerning when this occurred and who initiated it, and this subject is discussed at length at Section , infra.

Bissell and Bundy both testified, however, that Bissell did not tell Bundy -- in the course of discussing the executive action capability or at any other time -- of the actual assassination plots against Castro (Bissell, 7/22, p. 31; Bundy, p. 41). (However, there was some testimony that the names of Castro, Trujillo, and Lumumba might have been mentioned in connection

with the discussion of "research" into the capability. (Bissell, 6/11/75, pp. 50-51)).

(iii) TAYLOR/KENNEDY BAY OF PIGS INQUIRY

Following the failure of the Bay of Pigs invasion, President Kennedy convened a "board of inquiry" which reviewed "the causes of...[the] failure" of the operation (Bissell, 6/9/75, pp. 42,45). The members of the board were Robert Kennedy, General Maxwell Taylor, Allen Dulles and Admiral Arleigh Burke. The panel examined the Bay of Pigs failure for several weeks and issued its report on June 13, 1961. The "Taylor Report" does not mention the assassination plots.

Bissell was questioned extensively and appeared to General Taylor to have been the principal person involved in the operation and much more knowledgeable than Dulles who had deliberately kept himself out of the planning and delegated responsibility to Bissell. (Taylor, p. 73).

Bissell testified that he did not disclose to the Taylor/Kennedy Committee that there had been an assassination effort against Castro (Bissell, 6/9/75, p. 42). He put forward several reasons for not having done so. First, "the question was never asked." Second, he claimed Dulles already knew about the operation. Third, Bissell said "by that time the assassination attempt had been called off." Fourth, he contended that the assassination effort was "not germane" because it did not contribute to the failure of the Bay of Pigs. (Bissell, 6/9/75, pp. 44-46; 6/11/75, p. 39).

Bissell hastened to add that he had no reason to believe" that Allen Dulles, himself a board member, did not discuss the plots with one or more members (Bissell, 6/9/75, p. 46).

However, both General Taylor and Admiral Burke stated that neither Bissell nor Dulles informed them of the assassination plots (Taylor, pp. 72-73; Burke affidavit, 8/25/75, p. 3).

When asked if Richard Bissell ever informed him that underworld figures had been offered a large sum to assassinate Castro, General Taylor responded, "No, I never heard that, and it amazes me" (Taylor, p. 72). Taylor said that during his review of the Bay of Pigs operation no mention was made of an assassination effort against Castro (Taylor, p. 72). Despite the fact that Dulles met with Taylor on the Board of Inquiry thirty or forty times, Taylor testified that Dulles never told him about the plot (Taylor, p. 73).

(iv) MEMORANDUM TO THE ATTORNEY GENERAL

Bissell's testimony that he had not disclosed assassination plots to the Kennedy/Taylor "court of inquiry" was consistent with his statement that

> "I have no knowledge that Robert Kennedy was advised of this (the plot to kill Mr. Castro)." (Bissell, 6/9/75, p. 41).

The Committee tested this statement against other parts of Bissell's testimony. An attachment to the May 22, 1961 FBI memorandum (regarding the Las Vegas tap) which Director Hoover had sent to the Attorney General* had quoted Edwards as saying that Bissell in "recent briefings" of Taylor and Kennedy,

> "told the Attorney General that some of the associated planning included the use of Giancana and the underworld against Castro." (Bissell, 7/17/75, Ex. 3).

When first shown this document, Bissell said,

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* A handwritten note from the Attorney General to his assistant on the face of the memorandum indicates that he had actually seen the document. This memorandum is discussed in detail at Section , infra.

> "I have no recollection of briefing those two gentlemen except as members of the Board of Inquiry that I have described, of which Allen Dulles himself was a member." (Bissell, 6/11/75, p. 27).

As mentioned above (Section (e), supra), Bissell testified that his briefings to the Board of Inquiry did not deal with assassination efforts. (Bissell, 6/11/75, pp. 45-46).

Discussing the document in a subsequent appearance before the Committee, Bissell again said that he had no recollection of any such conversation (Bissell, 7/22/75, p. 56) but he was sure that it did not take place in front of the Kennedy/Taylor board of inquiry (Bissell, 7/22/75, p. 64).

However, Bissell speculated, the report quoted language which "I might very well have used, that is, the use of the underworld against Castro." (Bissell, 6/11/75, p. 21).

The examination of Bissell on whether he had had any such discussion and, if so, why he used such obscure and indirect language, elicited the following testimony:

> "Q: Did you, sometime in May of 1961 communicate the state of your awareness to the Attorney General in your briefing to him?
>
> Bissell: Well, there is a report which I was shown, I think it was last week, I believe it also came from the FBI, but I could be wrong about that, or indicating that I did, at that time in May, brief the Attorney General, and I think General Taylor to the effect that the Agency had been using -- I don't know whether Giancana was mentioned by name, but in effect, the Underworld against the Castro regime.
>
> Q: Did you tell them -- them being the Attorney General and General Taylor -- that this use included actual attempts to assassinate Mr. Castro?"

"Bissell: I have no idea whether I did [.] I have no idea of the wording. I think it might quite possibly have been left in the more general terms of using the underworld against the Castro regime, or the leadership of the Castro regime.

Q. Mr. Bissell, given the state of your knowledge at that time, wouldn't that have been deliberately misleading information?

Bissell: I don't think it would have been. We were indeed doing precisely that. We were trying to use elements of the underworld against Castro and the Cuban leadership.

Q. But you had information, didn't you, that you were, in fact, trying to kill him?

Bissell: I think that is a way of using these people against him.

Q. That's incredible. You're saying that in briefing the Attorney General you are telling him you are using the underworld against Castro, and you intended that to mean, Mr. Attorney General, we are trying to kill him?

Bissell: I thought it signalled just exactly that to the Attorney General, I'm sure.

Q. Then it's your belief that you communicated to the Attorney General that you were, in fact, trying to kill Castro?

Bissell: I think it is best to rest on that report we do have, which is from a source over which I had no influence and it does use the phrase I have quoted here. Now you can surmise and I can surmise as to just whattthe Attorney General would have read into that phrase." (Bissell, 7/22/75, pp. 53-54).

Bissell then testified:

"Q. Was it your intent to circumlocutiously or otherwise, to advise the Attorney General that you were in the process of trying to kill Castro?

Mr. Bissell: [U]nless I remembered the conversation at the time, which I don't, I don't have any recollection as to whether that was my intent or not." (Bissell, 7/22/75, p. 56).

Bissell proceeded to speculate that a "proper" briefing might not have included any reference to the assassination plot. (Bissell, 7/22/75, p. 59). He gave two reasons for this speculation: (i) even if he had "thoroughly briefed" the Attorney General he would have chosen "circumlocutious" language to tell him about the activity involving Giancana. (Bissell, 7/22/75, pp. 53-56); and (ii) the assassination effort had been "stood down by then." (Bissell, 7/22/75, p. 59). Bissell concluded by reiterating that he had "no knowledge" that the Attorney General was "specifically advised" of the assassination plot against Castro (Bissell, 7/22/75, p. 62).*

e. CONVERSATION BETWEEN PRESIDENT KENNEDY AND GEORGE SMATHERS

George Smathers, former U.S. Senator from Florida, testified that the subject of the possible assassination of Castro arose in a conversation between Smathers and President Kennedy on the White House lawn in 1961.** Smathers

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* If the FBI quotation of Edwards is to be accorded significant weight, then it is important to note that another section of it contradicts Bissell's assumption that Presidents Eisenhower and Kennedy had been circumlocutiously advised by Dulles of the assassination plot. Edwards told the FBI that "Allen Dulles was completely unaware of Edwards' contact with Maheu" in connection with Cuban operations.

Bissell's explanation for Edwards' statement was that Edwards was being "protective" of the DCI. (Bissell, 7/17/75, p. 20). But this testimony must be reconciled with Bissell's previous testimony that Dulles knew of the operation and probably would have told the President about it.

** Smathers' testimony about this conversation referred to the transcript of an Oral HIstory interview, conducted on March 31, 1964, in which his testimony was based gives an indication that the conversation transpired in 1961, before the Bay of Pigs invasion in mid-April.

It appears from the White House logs of Presidential meetings that there were only two occasions in 1961 when Senator Smathers met with the President alone for as much as twenty minutes. Both of those meetings took place in March. (<u>Supra</u>, p.).

said he discussed the general Cuban situation with the President many times (Smathers, p. 6). Smathers had many Cuban constituents, was familiar with Latin American affairs, and was a long-time friend of the President (Smathers, p. 6).

Smathers had the "impression" that the President raised the subject of assassination with him because someone "had apparently discussed this and other possibilities with respect to Cuba" with the President (Smathers, pp. 16, 25). Smathers had no direct knowledge of any such discussion, nor did he know who might have been involved (Smathers, pp. 18-19, 25). The President did not indicate directly that assassination had been proposed to him (Smathers, p. 18).

According to Smathers:

> "...[President Kennedy] asked me what reaction I thought there would be throughout South America were Fidel Castro to be assassinated... I told the President that even as much as I disliked Fidel Castro that I did not think it would be a good idea for there to be even considered an assassination of Fidel Castro, and the President of the United States completely agreed with me, that it would be a very unwise thing to do, the reason obviously being that no matter who did it and no matter how it was done and no matter what, that the United States would receive full credit for it, and the President receive full credit for it, and it would work to his great disadvantage with all of the other countries in Central and South America...I disapproved of it, and he completely disapproved of the idea." (Smathers, p. 22).

does this proposal imply how [illegible] does it affect negligence [illegible]

Smathers further testified that he had said the reason it would work to "great disadvantage" with the nations of Central and South America was because they would blame the United States for any assassination of Castro (Smathers, p. 6).

Smathers said that on a later occasion he tried to raise the subject of "Cuba and what could be done" with President Kennedy (Smathers, p. 22). The President made it clear to Smathers that he should not raise the subject with him again.*

what does this imply

Senator Smathers concluded his testimony by indicating that on Cuban affairs in general, he felt he was "taking a tougher stance than was the President" (Smathers, p. 24). But Smathers said that he disapproved of even thinking about assassinating Castro and said he was "positive" that Kennedy also opposed it (Smathers, p. 16).

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* One night at dinner with Senator Smathers, the President emphasized his point by cracking his plate at the mention of Cuba. (Smathers, p. 22).

(iii) Kennedy Administration -- The Question of Authorization Outside the Agency During the Post Bay of Pigs, Mongoose, and 1963 Periods

This section discusses the question of authorization outside the Agency for the assassination plots during 1962 and 1963 -- the period of Operation Mongoose (the 1962 Kennedy Administration program aimed at overthrowing Castro by an internal revolt), the Missile Crisis in the fall of 1962, and the subsequent program in 1963 which saw a more limited covert action program directed against Cuba.

A. Recap of the Assassination Activity After the Bay of Pigs

During 1962 and 1963 there were three principal assassination plots.

1. In the spring of 1962, William Harvey reactivated the contact with John Roselli and in April provided lethal pills and guns to Roselli and Cuban associates in Miami. In May it was reported that the pills reached Cuba.

2. In early 1963 the science fiction schemes -- exploding sea shell and poisoned diving suit -- were contrived and then abandoned.

3. In November 1963 the dissident Cuban who was code-named AMLASH was given a poison pen device.

B. The Issue of Authority

The fundamental issue dealt with in this section is whether the above assassination plots were authorized outside the Agency. The issue arises from the differing perceptions of Helms and his subordinates, on the one hand, and members of the Kennedy Administration, including the Director of the CIA, on the other hand.

While Helms stated that he never received a direct order to assassinate Castro, Helms testified that he fully believed that the CIA was at all times acting within the scope of its authority and that he believed a Castro assassination came within the bounds of the Kennedy Administration's effort to overthrow Castro and his regime. Helms stated that he never informed McCone or any officials of the Kennedy

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Administration of the assassination plots. On the other hand, McCone and the surviving members of the Kennedy Administration testified that they did not believe a Castro assassination was permissible without a direct order, that assassination was not within the parameters of the Administration's anti-Castro program, and testified that to their knowledge no such direct order was given to Helms.

Before setting out the testimony in detail, we discuss below the Kennedy Administration's 1962 covert action program, Operation Mongoose (as well as the events in 1961 leading to that program) which was designed to overthrow the Castro regime. An understanding of that program is essential to an evaluation of the testimony on the issue of authorization.

C. Events From the Bay of Pigs to the Establishment of Mongoose

1. The Taylor Review

On April 22, 1961, following the Bay of Pigs failure, the President requested General Maxwell Taylor to conduct a re-evaluation of "our practices and programs in the areas of military and paramilitary, guerilla and anti-guerilla activity which fall short of outright war." The President hoped that Taylor would give special attention to Cuba. (Letter to Maxwell Taylor, April 22, 1961) Robert Kennedy was to be Taylor's principal colleague in this effort. The resulting review of the U.S. policy in this area concluded:

"We have been struck with the general feeling that there can be no long-term living with Castro as a neighbor. His continued presence within the hemispheric community as a dangerously effective exponent of Communism and Anti-Americanism constitutes a real menace capable of eventually overthrowing the elected governments in any one or more of weak Latin American republics.

***

"It is recommended that the Cuban situation be reappraised in the light of all presently known factors and new guidance be provided for political, military, economic and propaganda action against Castro." (Report to the President, June 13, 1961, memorandum No. 4, p. 8)

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It is clear from the record, moreover, that the defeat at the Bay of Pigs had been regarded as a humiliation for the President personally and for the CIA institutionally.

By July the Special Group had agreed that the basic objective "is to provide support to a U. S. program to develop opposition to Castro and to help bring about a regime acceptable to the U. S." (Memo for the Record, July 21, 1961.) Occasional harrassment operations were mounted during the summer but there was neither overall strategy nor much activity.

2. National Security Action Memorandum 100 of October 5, 1961, and the CIA Intelligence Estimate

The documentary evidence and testimony indicate that in the fall of 1961 the question of the effect of Castro's removal from power and the prospects in that event, for U. S. military intervention were considered by the Kennedy Administration.

Two studies were prepared in this connection. Pursuant to National Security Action Memorandum 100 ("NSAM 100"), the State Department was asked to assess the potential courses of action open to the U. S. should Castro be removed from the Cuban scene, and to prepare a contingency plan with the Department of Defense for military intervention in that event. The CIA, prepared an "Intelligence Estimate" on the "situation and prospects" in Cuba. As discussed below, the evidence indicates that the focus of these studies was on the possible courses of action open to the U. S. in a post-Castro Cuba, rather than on the means that might bring about Castro's removal. However, it also appears that assassination was not excluded from the potential means by which Castro might be removed.

NSAM 100

On October 5, 1961, Bundy issued National Security Action Memorandum No. 100 ("NSAM 100") (Bundy, Ex 3) entitled "Contingency Planning for Cuba", NSAM 100 was addressed to the Secretary of State stated in full: "In confirmation of

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oral instructions conveyed to Assistant Secretary of State Woodward*, a plan is desired for the indicated contingency."

Related documents indicate that the subject matter of the contingency referred to in NSAM 100 was the "possible removal of Castro from the Cuban scene". (Bundy Ex 3A, Minutes of Special Group Meeting, October 6, 1961, p. 1.)

The Minutes of the Special Group meeting on October 6, 1961, (the day after the issuance of NSAM 100) state that the Group was told that in addition to an overall plan for Cuban covert operations," a contingency plan in connection with the possible removal of Castro from the Cuban scene" was in preparation. (Bundy, Ex 3A, Memorandum for the Record of Special Group meeting, October 6, 1961, p. 1.)

In addition, a Memorandum for the Record by Parrott on October 5, 1961, states that Parrott informed Assistant Secretary Woodward's Deputy that "what was wanted was a plan against the contingency that Castro would in some way or other be removed from the Cuban scene". (Bundy, Ex 3B, p. 1.) Parrott's memorandum further stated that in preparing the plan, "the presence and positions of Raul (Castro) and Che Guevara must be taken into account", and that General Taylor had told Parrott he preferred "the President's interest in the matter not be mentioned" toto Woodward. (Bundy, Ex 3B.) Parrott's memorandum also stated that "on the covert side, I talked to Tracy Barnes in CIA and asked that an up-to-date report be furnished as soon as possible on what is going on and what is being planned". (Bundy, Ex 3B, p. 1.)

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*Woodward at that time was Assistant Secretary of State for Latin American Affairs.

Testimony of Bundy

Bundy testified that the contingency referred to in NSAM 100 and the related documents was "what would we do if Castro were no longer there", but that "clearly one of the possibilities would be assassination". (Bundy, p. 77.) However, Bundy emphasized that NSAM 100 represented an effort to assess the effect should Castro be removed from power by any means (including assassination) but "without going further with the notion (of assassination) itself".* (Bundy, p. 77.)

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*"If people were suggesting this to you and you were curious about whether it was worth exploring, one way of getting more light on it without going any further with that notion itself would be to ask political people, not intelligence people, what they thought would happen if Castro were not there any longer." (Bundy, p. .)

Bundy further contended that the President was not considering an assassination, but rather "what are things going to be like after Castro." (Bundy, p. 81.)*

Taylor's Testimony

Taylor testified that he had no recollection of NSAM 100 of the events described in the related documents set out above. (Taylor, p. 18.) On the basis of his review of the documents, Taylor testified that "it sounds like purely a political consideration of the sequence of power in Cuba."** Taylor emphasized, moreover, that"never at any time" did he raise the question of of assassination with Parrott, or with anybody else. (Taylor, p. 19)

Parrott's Testimony

Parrott, the Special Group Secretary who transmitted the request for the NSAM 100 study to the State Department, testified that the request for a plan reflected in his memorandum of October 5, 1961, and the reference in that memorandum to the "contingency that Castro would in some way or another be removed from the Cuban scene" (described above, p. 18), reflected interest in a contingency study for Castro's removal, but by means "short of being killed." (Parrott, p. 83) on what based

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*Thus, with respect to the desire not to indicate the President's interest in the plan requested from the State Department, Bundy testified:

> "...it was precisely to insulate the President from any false inference that what he was asking about was assassination. It is easy to confuse the question, what are things going to be like after Castro, with the other question, and we were trying to focus attention on the information he obviously wanted, which is, what would happen if we did do this sort of thing, and not get one into the frame of mind of thinking that he was considering doing it." (Bundy, p. 81)

**Taylor said he was puzzled by the wording of NSAM 100 and the related documents and stated, "I just cannot tie in the language here with a plausible explanation." (Taylor, p. 18)

The CIA's Intelligence Estimate

The CIA study in connection with the consideration of Castro's removal was an intelligence estimate prepared by the CIA's Board of National Estimates (which was not part of the CIA's covert action directorate), entitled "The Situation and Prospects in Cuba"*. The CIA Estimate was pessimistic regarding the chances for success of a Cuban internal revolt, and further found that a Castro assassination would likely strengthen the Communist position in Cuba.

After a general review of the economic, military, and political situation in Cuba, the CIA estimate concluded that the Castro regime had sufficient popular and repressive capabilities to cope with any internal threat. The concluding paragraph of the estimate was entitled "If Castro were to Die". It noted that:

> "His (Castro's) loss now, by assassination or by natural causes, would have an unsettling effect, but would almost certainly not prove fatal to the regime...(I)ts principal surviving leaders would probably rally together in the face of a common danger." (Estimate, p. 9.)

The CIA study further predicted that should Castro die, "some sort of power struggle would almost certainly develop eventually," but that whatever the outcome of such a struggle, the Communist Party's influence would be "significantly" increased.** (Estimate, p. 9.)

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*The IG Report apparently refers to an earlier draft of this intelligence estimate. (IG, p. 4.) The IG Report, in reporting that many CIA officers interviewed in the IG investigation stressed the point that "elimination of the dominant figures in a government...will not necessarily cause the downfall of the government," stated:

> "This point was stressed with respect to Castro and Cuba in an internal CIA draft paper of October 1961, which was initiated in response to General Maxwell Taylor's desire for a contingency plan. The paper took the position that the demise of Fidel Castro, from whatever cause, would offer little opportunity for the liberation of Cuba from Communist and Soviet Bloc control." (IG, p. 4.) The CIA was unable to locate the draft paper referred to in the IG Report.

**A cover memorandum by Lansdale transmitting the CIA estimate to Robert Kennedy stated that the estimate "seems to be the major evidence to be used to oppose your program" (referring to the proposed overall Mongoose operation). Lansdale's memorandum criticized the estimate's assessment that "it is highly improbable that an extensive popular uprising could be fomented" against Castro as a "conclusion of fact quite outside the area of intelligence." (Lansdale Memorandum to Robert Kennedy, 11/62, p.1) As discussed in detail at pp.___ below, Lansdale's basic concept for the Mongoose program was to overthrow Castro through an internal revolt of the Cuban people.

At the close of the meeting, Robert Kennedy asked Szulc to meet with President Kennedy the following day (Szulc, p. 25). On November 9, 1961, Szulc, accompanied only by Goodwin, met with President Kennedy for over an hour in the Oval Office.* (Szulc, 6/10, p. 25.) Szulc recalled that the President discussed "a number of his views on Cuba in the wake of the Bay of Pigs, asked me a number of questions concerning my conversations with Premier Castro, and...what the United States could /or/ might do in...either a hostile way or in establishing some kind of a dialogue..." (Szulc, 6/10, pp. 25-26).

Szulc testified that after this general discussion, the President then asked "what would you think if I ordered Castro to be assassinated.*/*/ (Szulc, 6/10, p. 26; Szulc Notes of conversation with President Kennedy, November 9, 1961). Szulc testified that he replied that an assassination would not necessarily cause a change in the Cuban system, and that it was Szulc's personal view that the United States should not be party to murders and political assassinations. (Szulc, 6/10, p. 26). Szulc testified that

Do we want to get out that one in the air / raises new [illegible] quests

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*/Goodwin testified that President Kennedy met frequently with members of the press and others who were experts in their fields, but that it was "possible" that the meeting with Szulc may have been an occasion for the President to consider Szulc for a position in the Administration (Goodwin, p. 29-30).
On November 2, 1961 Goodwin had addressed an "eyes only" memorandum to the President and the Attorney General outlining a suggested organization for what became the Mongoose operation. Goodwin proposed five "staff components," including "intelligence collection," "guerrilla and underground," and "propaganda." The memorandum stated: "As for propaganda, I thought we might ask Tad Szulc to take a leave of absence from the Times and work on this one--although we should check with /USIA Director/ Ed Murrow and Dick Bissell." (Goodwin Ex. 2, p. 1, 2).

// Szulc made notes of the conversation with President Kennedy as soon as he returned to his office, based on his memory of the meeting. President Kennedy's question regarding a Castro assassination appears in quotation marks in Szulc's notes, which were made the same day from "reasonably fresh" memory. (Szulc, 6/10, p.30).

3. <u>Testimony of Szulc on President Kennedy's November 9, 1961 Question Regarding a Possible Castro Assassination</u>

Tad Szulc* testified that in a private meeting he had with President Kennedy on Novebmer 9, 1961, the President asked"Szulc what would you think if I ordered Castro to be assassinated," and said "I agree with you completely" when Szulc answered that a Castro assassination should be ruled out on both practical and moral grounds. Szulc further testified that President Kennedy went on "to make the point how strongly he and his brother felt that the United States for moral reasons" must not be involved in assassinations. (Szulc, p.27).

In early November 1961 Szulc was asked by Richard Goodwin, the Special Assistant to President Kennedy, to meet with Attorney General Robert Kennedy on November 8, 1961, to discuss the situation in Cuba. The meeting was an "off-the-record" one which Szulc attended as a friend of Goodwin's and not as a reporter. (Szulc, p. 24.) During the meeting with Robert Kennedy, the discussion centered on "the situation in Cuba following the (Bay of Pigs) invasion (and) the pros and cons of some different possible actions by the U. S. in that context" (Szulc, p. 25). The subject of assassination was not mentioned during this meeting. (Szulc, p. 31.)

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*In November 1961 Tad Szulc was employed as a reporter in the Washington Bureau of the <u>New York Times</u> (Szulc, p. 24). Szulc had visited Cuba in May-June 1961, following the Bay of Pigs invasion. (Szulc, p. 24) During the course of that trip, Szulc had a "series of very long conversations with Castro". (Szulc, p. 24.)

thereupon the President said, "I agree with you completely." Szulc stated further:

> "He /President Kennedy/ then went on for a few minutes to make the point how strongly he and his brother felt that the United States for moral reasons should never be in a situation of having recourse to assassination." (Szulc, p.27).

Szulc's notes of the meeting with the President state:

> "JFK then said he was testing me, that he felt the same way -- he added 'I'm glad you feel the same way' -- because indeed U.S. morally must not be part /sic/ to assassinations."

Szulc's notes of the conversation further state:

> "JFK said he raised question because he was under terrific pressure from advisers (think he said intelligence people, but not positive) to okay a Castro murder. sed /sic/ he was resisting pressures." (Szulc note of conversation with President Kennedy, November 9, 1961).

Szulc stated, relying on his memory, that it is "possible" and he "believed" that President Kennedy used such words as "someone in the intelligence business," as the source of the pressure for a Castro assassination. (Szulc, 6/10, p. 29). The President did not identify the person or persons. (Szulc, 6/19, p. 27).

raised w/him — why not ask intell comm — takes on meaning

If anyone was in fact putting pressure on the President, there was no other evidence on this point adduced before the Committee. This was particularly troublesome since everyone questioned by the Committee, both within and without the CIA, denied ever having discussed assassination with the President, let alone having pressured him.

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Testimony of Goodwin.

Goodwin attended the November 9, 1961 meeting between President Kennedy and Szulc. (Goodwin, p. 3). Goodwin testified that, after asking Szulc for his reaction to a suggestion that Castro be assassinated, President Kennedy said "well, that's the kind of thing I'm never going to do." (Goodwin, p. 3).

Goodwin testified further that several days after the meeting with Szulc, Goodwin referred to the mention of assassination to Szulc, and President Kennedy said only "we can't get into that kind of thing, or we would all be targets". (Goodwin, p. 4, 11.)

4. The Rejection of Assassination in President Kennedy's November 16, 1961 Speech

A few days after the meeting with Szulc and Goodwin, and some six weeks after the issuance of NSAM 100, President Kennedy delivered a speech at the University of Washington. In that public address, President Kennedy stated:

> "We cannot, as a free nation, compete with our adversaries in tactics of terror, assassination, false promises, counterfeit mobs and crises." (Public Papers of the Presidents, John F. Kennedy, 1961, p. 724)

How does that compare w/ Mongoose

We discuss in the next section the nature of the program which was initiated against the Castro regime at the end of November 1961 pursuant to President Kennedy's instruction, and which continued to the Missile Crisis in the fall of 1962.

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D. Operation Mongoose

1. The Creation of Operation Mongoose. In November 1962 the proposal for a major covert program to overthrow Castro was developed. Richard Goodwin, a special assistant to President Kennedy, and Edward Lansdale, a military officer with experience in counter-insurgency operations, played major staff roles in the creation of Mongoose. Both Goodwin and Lansdale worked closely with Robert Kennedy, who took an active interest in this preparatory stage and in the later conduct of Mongoose. On November 1, 1961, Goodwin advised the President that Robert Kennedy "would be the most effective commander" of the proposed operation. (Memorandum to the President, November 1, 1961, p.). Lansdale, in a memorandum to Robert Kennedy on November 15, 1961, outlining the Mongoose proposal, stated that a "picture of the situation has emerged clearly enough to indicate what needs to be done and to support your sense of urgency concerning Cuba". (Memorandum, November 15, 1961, p.)

At the end of the month, on November 30, 1962, President Kennedy issued a memorandum recording his decision to begin the Mongoose project--to "use our available assets . . . to help Cuba overthrow the Communist regime". (Lansdale Ex. 17, Memorandum to the Secretary of State, Defense, et al., November 30, 1961).

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Important organizational changes were made in establishing Operation MONGOOSE.

a. The Special Group Augmented. A new control group, the Special Group Augmented, was put in charge of Operation MONGOOSE. The SGA consisted of the regular Special Group (i.e., Bundy, Johnson of State,

Gilpatric of Defense, McCone of CIA, and Gen. Lemnitzer of the Joint Chiefs) plus Robert Kennedy and General Taylor. Also, Secretaries Rusk and McNamara more frequently attended its meetings than they did those of the Special Group itself.

b. General Lansdale as the Chief of Operations of MONGOOSE. General Edward Lansdale was named the Chief of Operations of the MONGOOSE activities by President Kennedy. Lansdale had developed a reputation in the Philippines and Vietnam for having an ability to deal with revolutionary insurgencies in less developed countries. In addition, as a result of the Bay of Pigs failure, President Kennedy distrusted the CIA and believed he required someone from outside the Agency to oversee major covert action programs. Rather than appoint Robert Kennedy to head Mongoose as proposed by Goodwin, President Kennedy gave Lansdale the task of coordinating the CIA's Mongoose operations with those of the Departments of State and Defense, and made General Taylor the Chairman of the Special Group Augmented. However, Robert Kennedy did play an active role in the Mongoose structure, unrelated to his position as Attorney General.

c. CIA Organization for Mongoose. In late 1961 or early 1962, William Harvey was put in charge of the CIA's Task Force W, the CIA arm for Mongoose Operations. Task Force W operated under the Special Group Augmented and employed some 400 people at CIA headquarters and at the Miami Station. McCone and Harvey were thereafter the principal CIA participants in Operation Mongoose. Helms attended only some 7 of 40 Mongoose meetings and testified that it was fair to state that McCone and Harvey, rather than Helms, were principally concerned with Mongoose. Helms was, however, substantially involved in Mongoose and testified that he "was as interested" in Mongoose as Harvey and McCone were. (Helms, 7/18, p. 10)

2. Lansdale's Theory and Objective for Mongoose

In the fall of 1961, Lansdale had been asked by President Kennedy to examine the Administration's Cuba policy and to make recommendations. Lansdale testified that, in reporting his recommendations to President Kennedy, he emphasized that "Castro ... had aroused considerable affection for himself personally with the Cuban population...." (Lansdale, p. 4), and that the U.S. "should take a very different course" from the "harassment" operations that had been directed against Castro up to that time. (Lansdale, p. 3). These prior U.S. operations were conceived and led by Americans, Lansdale informed the President. (Lansdale, p. 5). In contrast, Lansdale proposed that the U.S. work with all exiles, particularly professionals who had opposed Batista and then became disillusioned by Castro. (Lansdale, pp. 4, 10-11). Lansdale's ultimate objective was to have "the people themselves overthrow the Castro regime rather than U.S. engineered efforts from outside Cuba." (Lansdale, p. 41). */

Hence, after his appointment as Chief of Operations, Lansdale's concept for the MONGOOSE project emphasized as a first step the development of leadership elements, and "a very necessary political basis" among the Cubans opposed to Castro, before any large actions began. (Lansdale, p. 11). At the same time, Lansdale sought to develop "means to infiltrate Cuba successfully" and to organize "cells and activities inside Cuba ... who could work secretly and safely." (Lansdale, p. 11). Lansdale's plan was designed so as not to "arouse premature actions, not to bring great reprisals on the people, and abort any eventual success." (Lansdale, p. 11).

*/ As Lansdale described his "concept of operation" for Mongoose in a memorandum to the President on January 18, 1962, it was to "help the Cubans from within Cuba" to overthrow the Castro regime through a "revolt of the Cuban people." (Lansdale Ex. 3, p. 2).

3. Bissell's Testimony Concerning Presidential Instructions to Act More Vigorously, But That Assassination Was Not Included. Sometime in the early fall of 1961, Bissell was apparently called to the White House and was said to have been

> "chewed out in the Cabinet Room in the White House by both the President and the Attorney General for, as he put it, sitting on his ass and not doing anything about getting rid of Castro and the Castro regime."

This description comes from the testimony of Samuel Halpern, a middle-level CIA covert action officer, who said Bissell told him about the meeting, and directed him to come up with some plans. (Halpern, pp. 8, 36-37). Bissell said he did not remember that precise meeting but that he had been, in essence, told to "get off your ass about Cuba." (Bissell, 7/25/75, pp. 37-38).

Bissell was asked whether he considered such an instruction to constitute authority for proceeding to assassinate Castro. He said it would not, and that "formal and explicit approval" would be required for assassination action (Id., 38-39).

Bissell also testified that there was in fact no assassination activity between the pre-Bay of Pigs/Roselli operation and his departure from the Agency in February 1962.

In late 1961 Halpern became Harvey's Executive Assistant on Task Force W, the CIA action arm of Operation Mongoose. He testified that he never heard of the Roselli assassination operation (Halpern, pp. 15-16).

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4. The January 19, 1962 Meeting at Which the Attorney General Was Quoted As Saying Cuba Should Have the "Top Priority" in the United States Government. On January 19, 1962, a meeting attended by Lansdale, probably Helms, Helms' Executive Assistant George McManus, and other representatives of the agencies involved in Mongoose, took place in Attorney General Kennedy's office.* (McManus, p. 6). Notes taken at the meeting by McManus contain the following passages:

> "Conclusion Overthrow of Castro is Possible"
>
> "....
>
> "... 'a solution to the Cuban problem today carried top priority in U.S. Gov/ernmen/t. No time, money, effort -- or manpower is to be spared.'"
>
> "'Yesterday ... the President had indicated to him' that final chapter had not been written -- its got to be done and will be done."

(McManus Ex. 1, Memorandum, January 19, 1962, p. 2). McManus stated that the words "the top priority in the U.S. Gov/ernmen/t -- no time, money, effort or manpower is to be spared" had been spoken by the Attorney General (McManus, pp. 8-9).

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*/ Others who attended the meeting were Brig. Gen. Craig, representing the Joint Chiefs, Don Wilson of USIA, Major Patchell of the Secretary of Defense's office, and Frank Hand of CIA.

Helms stated that those words reflected the "kind of atmosphere" on which he relied for his perception that assassination was implicitly authorized. (Helms, 7/17, p. 60-61.) McManus, who wrote the memorandum, agreed that Robert Kennedy "was very vehement in his speech" and "really wanted action" but McManus disagreed with Helms perception, stating that "it never occurred to me" that the words quoted above from Robert Kennedy included permission to assassinate Castro. (McManus, p. 9.) Nor did the spirit of the meeting as a whole give McManus any idea that assassination was either contemplated or authorized. (Tr., p. 9-10.)*

5. General Lansdale's Mongoose Planning Tasks

On January 18, 1962, Lansdale assigned 32 planning tasks to the agencies participating in Mongoose. (Lansdale Ex. 3, Program Review of the Cuba Project.) In a memorandum to the working group members, Lansdale emphasized that "it is our job to put the American genius to work on this project, quickly and effectively. This demands a change from the business as usual and a hard facing of the fact that we are in a combat situation--where we have been given full command." (Lansdale memorandum, 1/20/62, p. 1.)

The 32 tasks comprised a variety of activities, ranging from intelligence collection to planning for "use of U. S. military force to support the Cuban popular

*/ With respect to the question of priorities and emphasis in the Kennedy Administration, there was a great deal of proof showing that Cuba indeed had a high priority and the very existence of a high level group like the Special Group Augmented further demonstrates its importance. MacNamara, for example, stated that "we were hysterical about Castro at the time of the Bay of Pigs and thereafter." (In the same context, MacNamara stated "I don't believe we contemplated assassination.) (MacNamara, p. 93). Similarly, General Lansdale informed the members of his inter-agency committee that Mongoose "demands a change from business-as-usual and a hard facing of the fact that you're in a combat situation where we have been given full command." (, Ex. , Memorandum, January 20, 1962, from Lansdale).

Clear it was contemplated

On the other hand, Sorensen testified that "there were lots of top priorities, and it was the job of some of /us/ to continually tell various agencies their particular subject was the top priority" and although Cuba was "important" it was "fairly well down on the list of the President's agenda." (Sorensen, p. 12). For example, when told that his first letter to Khruschev in the secret correspondence that lasted two or three years would be "the single most important document you will write during your Presidency," President Kenndy said, "Yes, we get these every day over here." (Sorensen, p. 12).

movement" and developing an "operational schedule for sabotage actions inside Cuba." (Lansdale Ex. 3, p. 5, 7.)*

In focusing on intelligence collection, propaganda and various sabotage actions, Lansdale's tasks were consistent with the underlying strategy of Mongoose to build gradually towards an internal revolt of the Cuban people. (See p. above.)

Lansdale transmitted a copy of the tasks to Robert Kennedy on January 18, 1962, with a handwritten note stating "my review does not include the sensitive work I have reported to you; I felt you preferred informing the President privately." Lansdale testified that this did not refer to assassinations and that he "never took up assassination with either the Attorney General or the President."** Lansdale testified that he could not precisely recall the nature of this "sensitive work" but that it might have involved a special trip he made under cover to meet Cuban leaders in Florida and to assess their political strengths. (Lansdale, p. 30.)

*There was testimony regarding one Lansdale plan that a witness thought was an example of Lansdale's "perspicacity" in planning operations. Parrott, the Secretary to the Special Group Augmented, testified:

> "I'll give you one example of Lansdale's perspicacity. He had a wonderful plan for getting rid of Castro. This plan consisted of spreading the word that the Second Coming of Christ was imminent and that Christ was against Castro (who) was anti-Christ. And you would spread this word around Cuba, and then on whatever date it was, that there would be a manifestation of this thing. And at that time--this is absolutely true--and at that time there would be an American submarine which would surface just over the horizon off of Cuba and send up some starshells. And this would be the manifestation of the Second Coming and Castro would be overthrown..."
>
> "Well, some wag called this operation--by this time Lansdale was something of a joke in many quarters--and somebody dubbed this Elimination by Illumination. (Parrott, p. .)

**Harvey testified that he never received any instructions from Lansdale to undertake assassinations, although as noted below (p.), in August 1962, Lansdale asked Harvey to consider the feasibility of a plan for the "liquidation" of Cuban leaders. (Harvey, 7/ /75, p. .)

Lansdale also referred, in a memorandum to the Attorney General on January 27, 1962, to his feeling that "we might uncork the touchdown play" "independently of the institutional program we are spurring." (Lansdale Ex. 4, p.1). Lansdale testified that in this memorandum the phrase "touchdown play" was a "breezy way of referring to "a Cuban -revolt to overthrow the regime" rather than to a Castro assassination. (Lansdale, p.45).*/ The examples of such "plays cited in the memorandum

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*/ The testimony was as follows:

> "The Chairman: What precisely did you mean by "uncork the touchdown play independently of the institutional programs we are spurring?"
>
> "General Lansdale: Well, I was holding almost daily meetings with my working group, and -- in tasking, and finding how they were developing plans I was becoming more and more concerned that they kept going back to doing what I felt were pro forma American types of actions rather than actively exploring how to get the Cubans into this, and to have them undertake actions.
>
> "To me, the touchdown play was a Cuban revolt to overthrow the regime. I did not feel that we had gotten into the real internal part of getting Cubans into the action, and I was concerned about that."
>
> "Senator Baker: In the same context, is it fair to say that the name of the game was to get rid of Castro or his regime and that touchdown play was one of several methods that might have been used for that purpose?"
>
> "General Lansdale: Yes."
>
> "Senator Baker: All right, now what was the touchdown play that you had in mind here?"
>
> "General Lansdale: Well, it was a revolt by the Cubans themselves ... a revolution that would break down the police controls of the state and to drive the top people out of power and to do that, there needed to be political actions cells, psychological propaganda action cells, and eventually when possible, guerilla forces developed in the country in a safe place for a new government to set up and direct the revolution that would eventually move into Havana and take over." (Lansdale, pp. 45-56).

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(e.g., "stir up workers in Latin America and Cuba," work through "ethnic language groups," "youth elements," or families through the Church") do not contain any indication of assassination.* (Lansdale, Ex. 4, p. 1.)

On January 19, 1962, Lansdale added an additional task to those assigned on January 18. This "Task 33" involved a plan to "incapacitate" Cuban sugar workers during the harvest by the use of chemical warfare means. (Lansdale, p. 29). Lansdale testified that the plan involved the use of non-lethal chemicals to sicken Cubans temporarily and keep them away from the fields for a 24-48 hour period "without ill effects." After initial approval for planning purposes (with the notation that it would require "policy determination" before final approval), the plan was ultimately cancelled after a study showed it was not feasible and before debate by the SGA. (Lansdale, p. 29, Special Group Minutes, 1/30/62, p. 1.)

Lansdale's 33 tasks were approved for planning purposes by the Special Group on January 30, 1962 (Minutes of Special Group meeting, 1/30/62, p. 1). Thereafter, on February 20, 1962, Lansdale detailed a six phase schedule for Mongoose, designed to culminate in October, 1962, with an "open revolt and overthrow of the Communist regime." (Lansdale Ex. 11, Program Review of the Cuba Project, 2/20/62, p. 2). As one of the operations for the "Resistance" phase proposed for September, 1962, Lansdale listed "attack on the cadre of the regime, including key leaders." (*Id.*, p. 151). Lansdale's plan stated:

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*/ Lansdale's memorandum described the "touchdown plays" as follows:

> "It may be a special effort which professional labor operators can launch to stir up workers in Latin America and Cuba. It may be through ethnic-language groups; Spain has an untapped action potential. It could be a warming-up of the always lively youth element in Latin America and Cuba, through some contacts specially used. It could be with the families through the Church, with families resisting the disciplined destruction of social justice by the Communists. It could be an imaginative defection project which cracks the top echelon of the Communist gang now running Cuba."

"This should be a 'Special Target' operation ... Gangster elements might provide the best recruitment potential for actions against police -- G2 /intelligence/ officials." (Id., p. 151). */

Lansdale testified that early in the Mongoose operation he had suggested to the working level representatives of the Mongoose agencies that they get in touch with "criminal elements" to obtain intelligence and "possible actions against the police structure" in Cuba. (Lansdale, p. 104). But Lansdale conceded that his proposal to recruit gangster elements for attacks on "key leaders" contemplated the targeted killing of individuals, in addition to the casualties that might occur in the course of the revolt itself. (Lansdale, p. 107).

These 33 plans of Lansdale were, however, never approved for implementation by the Special Group Augmented. As discussed below in greater detail (see p.), the Special Group Augmented tabled Lansdale's six phase plan altogether in February 1962, and directed Lansdale to plan for and conduct an intelligence collection plan only. (Memo, 3/2/62; Minutes of Special Group Augmented Meeting, 3/5/62).

a. Lansdale's Rejection of a Suggestion That a Propaganda Campaign, Including Rewards for Assassination, Be Explored

On January 30, 1962, the representative of the Defense Department and the Joint Chiefs on the Mongoose Working Group forwarded for Lansdale's consideration "a concept for creating distrust and apprehension in the Cuban Communist Hierarchy" (Lansdale Ex. 1, Memorandum, 1/30/62, from Craig to Lansdale, p. 1). This concept, titled Operation Bounty, was described as a "system of financial rewards, commensurate with position and stature, for killing or delivering alive known Communists." (Id., p. 2) Under the concept, leaflets would be dropped in Cuba listing rewards, which

*/An earlier reference to use of gangster-type elements had appeared in a CIA memorandum for the Special Group on January 24, 1962. Commenting on Task 5 of Lansdale's original 32 tasks (which called for planning for "defection of top Cuban government officials"), the CIA memorandum noted that planning for the task will "necessarily be based upon an appeal made inside the island by intermediaries" and listed "crime syndicates" along with other groups as possible intermediaries.

were proposed as ranging from $5,000 for an "informer" to $100,000 for "government officials." A reward of "2¢" was listed for Castro himself. (Id., p. 3). Lansdale testified that price was designed "to denigrate ... Castro in the eyes of the Cuban population." (Lansdale, Tr. 26).

Lansdale testified that he "tabled" this concept when he received it, on the ground that "I did not think that it was something that should be seriously undertaken or supported further." (Lansdale, p. 26). Lansdale did not bring the proposal before the Special Group Augmented.

6. The Control System for Mongoose Operations.

In establishing the Mongoose Operation on November 30, 1961, President Kennedy had emphasized that the Special Group should be "kept closely informed" of Mongoose activities. (memorandum by the President, 11/30/62; Goodwin, p.).

In practice, as Samuel Halpern, Harvey's Executive Assistant on the CIA Mongoose Task Force W testified, this resulted in the submission of "specific detailed plans for every activity carried out by the task force." (Halpern, p. 16). Halpern testified that those plans were submitted "in nauseating detail:"

> "It went down to such things as the gradients on the beach, and the composition of the sand on the beach in many cases. Every single solitary thing was in those plans, full details, times, events, weaponry, how it was going to happen, who was going to do what ... the full details of every single thing we did." (Halpern, p. 17).

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Harvey similarly characterized the control process (Harvey, 6/25, p. 123), as one which required the submission of "excruciating detail" and where it was understood that the Special Group Augmented was to be given

an opportunity to debate and decide after weighing the strengths and weaknesses of any given proposed action. (Harvey, 6/25, pp. 114, 124).

a. The Documentary Evidence

The documentary evidence illustrates the tight control procedures set out for Mongoose by the Special Group Augmented. For example, as discussed above (p.), Lansdale initially submitted 32 specific tasks with his "basic concept" on January 18, 1962 for consideration by the Special Group Augmented. (Lansdale Ex. 3) After consideration of Lansdale's concept and the 32 tasks in February, the Special Group Augmented ordered Lansdale to cut back his plan to limit it to an intelligence collection program for the March-May 1962 period, rather than the five-stage plan to culminate in an October "popular revolution" as originally conceived by Lansdale. (Memo 3/2/62, by Lansdale) In approving the intelligence collection program, the Special Group Augmented pointed out that:

NO COMMENT ON ASSASS...

> ". . . any actions which are not specifically spelled out in the plan but seem to be desirable as the project progresses, will be brought to the Special Group for resolution." (Helms Ex. 1, 7/18, p.1)

In addition, the Guidelines for the Mongoose program emphasized the Special Group Augmented's responsibility for control and prior approval of important operations:

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> "The Special Group (5412 Augmented) is responsible for providing policy guidance to the (Mongoose) project, for approving important operations and for monitoring progress. (Guidelines for Operation Mongoose, March 14, 1962, p.2)

Further indication of the Mongoose control process is the request given

to Helms a month prior to Harvey's trip to meet Roselli in Miami. Pursuant to the discussion at the Special Group's meeting on March 5, Helms was asked to estimate "for each week as far into the next twelve months as possible . . . the members and type of agents you will establish inside Cuba . . . (and) brief descriptions . . . of actions contemplated." (Memo to Helms from Lansdale, March 5, 1962)

Moreover, the approved plan for Operation Mongoose, as of the time of Harvey's meeting with Roselli in Miami required that any proposal to supply arms and equipment to particular resistance groups inside Cuba "be submitted to the Special Group for decision, ad hoc." (Lansdale Memo to ______________________, April 11, 1962, p.). And the Guidelines for the Mongoose program emphasized that, after specific tasks were approved by the Special Group Augmented and given to participating agencies by Lansdale, normal command channels were to be observed. As the Guidelines stated:

> During this period, General Lansdale will continue as Chief of Operations, calling directly on the participating departments and agencies for support and implementation of agreed tasks. The heads of these departments and agencies are responsible for performance through normal command channels to higher authority.*/ (Guideline for Operation Mongoose, March 14, 1962, p.2)

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* The initial draft of these Guidelines had referred to the President but was later amended to read "higher authority." (Draft Guidelines, March 5, 1962, p.2) The minutes of the consideration of these Guidelines were also amended with respect to the manner in which the Guidelines were approved. On March 16, 1962, a Memorandum for Record of "Discussion of Operation Mongoose with the President" of the Special Group (Augmented) stated:

> "In the presence of the Special Group (Augmented) the President was given a progress report on Operation MONGOOSE. The guidelines dated March 14, 1962 were circulated and were used as the basis of the discussion. After a prolonged consideration of the visibility, noise level and risks entailed, General Lansdale and the Special Group (Augmented) were given tacit authorization to proceed in accordance with the guidelines.

(footnote cont'd.)

In a Memorandum to McCone on April 10, 1962, Harvey recognized that the Special Group Augmented control process required advance approval of "major operations going beyond the collection of intelligence." But Harvey stated that these "tight controls" were unduly "stultifying:"

> "To permit requisite flexibility and professionalism for a maximum operational effort against Cuba, the right controls exercised by the Special Group and the present time-consuming coordination and briefing procedures should, if at all possible, be made less restrictive and less stultifying." (Memo, April 10, 1962, Harvey to McCone, p.4) *

Even as the Cuban Missile Crisis approached, and the pressure to act against the Castro regime increased through a "stepped up" Mongoose plan, the Special Group continued to insist on prior approval of sensitive operations. Thus, when the Special Group Augmented on September 14, 1962, approved in principle a proposed set of operations,

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(Footnote cont'd)

Not Clear

However, a note at the bottom of this memorandum, dated March 22, 1962, stated:

> This minute was read to the Special Group (Augmented) today. The Group was unanimous in feeling that no authorization, either tacit or otherwise, was given by higher authority. The members of the Group asked that the minute be amended to indicate that the Group itself had decided to proceed in accordance with the Guidelines.

Bundy, speaking to the Group,

> "... made it clear that this did not constitute a blanket approval of every item in the paper and that sensitive ones such as sabotage, for example, will have to be presented in more detail on a case by case basis." (Memo of Special Group Augmented meeting, September 14, 1962, p.).

Helms and the members of the Special Group Augmented differed on whether or not these control requirements were consistent with Helms' perception that assassination was permissible without a direct order. We discuss that testimony below at ________.

7. The Pattern of Mongoose Action. The documentary evidence and the testimony reveal that the Kennedy Administration pressed the Mongoose operation with vigorous language and although the collection of intelligence information was the central objective of Mongoose up until August 1962, sabotage and para military actions were conducted.*/ Thus, there was a major sabotage operation aimed at a large Cuban copper mine, and other sabotage operations. As Lansdale described them in his testimony, the sabotage acts involved "blowing up bridges to stop communications and blowing up certain production plants" (Lansdale, p. 36). And during the Missile Crisis in the fall of 1962, sabotage was increasingly urged.

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*/ In early March, 1962, the SGA recognized the need to begin "preliminary actions ... involving such things as spotting, assessing and training action-type agents" but the Group agreed that it must "keep its hand tightly" on these actions. The Group saw, however, that such control might not be completely effective and recognized "that many of the agents infiltrated would be of an all-purpose type; that is, they would be trained in paramilitary skills, as well as those of exclusively intelligence concern. It was noted that once the agents are within the country, they cannot be effectively controlled from the U.S., although every effort will be made to attempt such control." (Minutes of Special Group meeting, March 5, 1962).

At the same time, however, the record shows that the Special Group Augmented turned away from proposed sabotage and similar violent action throughout 1962, including the period of the Missile Crisis. (See p. above.) Thus, Helms noted in a memorandum of a meeting on October 16, 1962, that Robert Kennedy in expressing the "general dissatisfaction of the President" with Mongoose, "pointed out that (Mongoose) had been underway for a year...that there had been no acts of sabotage and that even the one which had been attempted had failed twice". (Memorandum by Helms, October 16, 1962, p. 1.) Similiarly a memorandum to Helms by his Executive Assistant (who spent full time on Cuba matters), which reviewed the Mongoose program in the aftermath of the Missile Crisis, stated:

> "During the past year, while one of the options of the project was to create internal dissension and resistance leading to eventual U.S. intervention, a review shows that policymakers not only shied away from the military intervention aspect but were generally apprehensive of sabotage proposals. (McManus, Ex. 2, p. 1, McManus, p. 11).

Harvey testified that this assessment of the Special Group Augmented's position was an accurate one. (Harvey, 6/25, p.). This is also borne out by the record of Mongoose activity. For example, after Lansdale's initial six phase plan to overthrow Castro by the fall of 1962, the single phase approved for January August 1962 was described by Lansdale as "essentially an intelligence collection" effort. (Memorandum, April 11, 1962, by Lansdale). Indeed, the guidelines for Operation Mongoose, approved on March 5, 1962, stated that the acquisition of intelligence was the "immediate priority objective of U.S. efforts in the coming months." (Taylor Ex. 3, p. 2, Guidelines for Operation Mongoose, March 14, 1962). The Guidelines further stated that although other covert actions would be undertaken concurrently with intelligence collection, these were to be on a scale "short of those reasonably calculated to inspire a revolt" in Cuba. (Id., p. 2). And the Special Group stipulated that Mongoose action beyond the acquisition of intelligence "must be inconspicuous." (Memorandum, 3/2/62, Lansdale, p. 3).

With the scheduled conclusion of that intelligence collection phase in August 1962, the Special Group Augmented considered whether to adopt a "stepped-up Course B plus," which, in contrast to Phase I, was designed to inspire a revolt against the Castro regime. (Memorandum for the Special Group Augmented, 8/8/62, from Lansdale, p. 1). Initially, the Special Group Augmented decided against this course and in favor of a "CIA variant," at a meeting of Special Group Augmented principals on August 10, 1962. (Minutes of Special Group Augmented meeting, August 10, 1962). The "CIA variant," which was proposed by McCone on August 10, posited more limited actions to avoid inciting a revolt and sought not Castro's overthrow, but a split between Castro and "old-line Communists." (Id., p. 2).

The onset of the Missile Crisis caused an initial reversion to the stepped-up Course B plan, but ultimately, however, an order was issued on October 30, 1962 to halt all sabotage operations. (Lansdale, Ex.8, Memo by Lansdale, 10/30/62)

Thus, on August 20, Taylor told the President that the Special Group Augmented perceived no likelihood of an overthrow of the Castro government by internal means without direct U.S. military intervention, and that the Special Group Augmented favored a more agressive Mongoose program. (Memo from Taylor to President.) Shortly thereafter, on August 23, McGeorge Bundy issued NSC Memo Number 181 to Lansdale and Taylor stating that, at the President's directive, "the line of activity projected for Operation MONGOOSE Plan B plus should be developed with all possible speed." One week later, on August 30, the CIA was instructed by the Special Group Augmented to submit a list of possible sabotage targets they might propose and it was noted that this list could serve as the limit for action on the Agency's own initiative: "The Group, by reacting to this list, could define the limits within which the Agency could operate on its own initiative." Special Group Augmented Minutes of August 30, 1962.)

Thus, at a Special Group Augmented meeting on October 4, 1962, Robert Kennedy stated that the President "is concerned about progress on the Mongoose program and feels that more priority should be given to trying to mount sabotage operations". And Robert Kennedy urged that "massive activity" be undertaken within the Mongoose framework. In line with this proposal, the Special Group Augmented decided that "considerably more sabotage" should be undertaken, and that "all efforts should be made to develop new and imaginative approaches with the possibility of getting rid of the Castro regime". (Minutes of Special Group Augmented meeting, October 4, 1962, p.)*. On October 30, 1962, however, the order to stop all sabotage operations was issued (Lansdale, Ex. 8).**

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* The SGA also decided on October 4, 1962, that Robert Kennedy would chair the Group's meetings "for the time being." (Id., p.). Subsequently, at a meeting on October 16, 1962, Robert Kennedy stated that he was going to give Mongoose "more personal attention" in view of the lack of progress and would hold daily meetings with the working group representatives, i.e., Lansdale, Harvey, and the other Agency members. (Harvey, Ex. 12, Memorandum of Meeting, October 16, 1962, by Helms, p. 1). Helms testified that he did not recall any such daily meetings with the Attorney General, but he had the impression there may have been several at first, but then they ceased. (Helms, 7/17/ , pp. 54-55).

**Harvey testified that he had a "confrontation" with Robert Kennedy at the height of the Missile Crisis concerning Harvey's order that agent teams be sent into Cuba to support any conventional U.S. military operation that might occur. Harvey stated that Robert Kennedy "took a great deal of exception" to this order and as a result McCone ordered Harvey to stop the agent operations. (Harvey, 7/11, p. 80-81.) Elder, McCone's assistant at the time, similarly described this incident and stated that, although Harvey had attempted to get guidance from top officials during the Missile Crisis, Harvey "earned another black mark as not being fully under control". (Elder, p. 34-35.)

As Sorensen (a member of the Executive Committee established to deal with the Missile Crisis) testified, even though Cuba was the "No. 1 priority" during the Missile Crisis, and "all alternatives, plans, possibilities were exhaustively surveyed" during that time, the subject of assassination was never raised in the high-level National Security Council Executive Committee (of which Helms was not a member) that was formed to deal with the Missile Crisis. (Sorensen, 7/21, p. 11.)***

*** There are references in the Special Group Augmented records to attacks on Soviet personnel in Cuba. The record of the SGA meeting on September 9, 1962, states:

> "It was suggested that the matter of attacking and harassing of Soviet personnel within Cuba should be considered." (SGA Minutes, 9/9/62, p.).

Earlier, on August 31, 1962, Lansdale had included a task "to provoke incidents between Cubans and Bloc personnel to exacerbate tensions," in a proposed projection of actions for Phase II of Mongoose. (Memorandum to SGA, 8/31/62, from Lansdale, Action No. 47). The Special Group thereafter decided, as a means of "emphasizing such activity" to replace that task with one to "cause actions by Cubans against Bloc personnel," and to note that "consideration will be given to provoking and conducting physical attacks on Bloc personnel." (Memorandum to Taylor, Rusk, and MacNamara, 9/12/62, from Lansdale, pp. 1-2).

E. The Issue of Authority Outside the Agency

This section discusses the evidence as to whether there was authorization from outside the Agency for the assassination activity that took place during the Mongoose operation.

TR. 7/17, p.4)

As discussed below in detail, both Helms and the Kennedy Administration officials agreed that no direct order was ever given for Castro's assassination and that no one outside the Agency (including McCone) was informed about the assassination activity. Helms testified, however, that he believed the assassination activity was permissible and that it was within the scope of the authority given to the Agency. McCone and the other Kennedy Administration officials disagreed, testifying that assassination was not permissible without a direct order and that a Castro assassination was not within the authorized bounds of the Mongoose operation.

In April 1962, when the poison pills were given to Roselli in Miami, Helms was the CIA Deputy Director in charge of covert operations and reported to McCone, the CIA Director. Helms had succeeded Bissell in this job, following Bissell's retirement in February, 1962, as a consequence of the failure of the Bay of Pigs invasion. Helms testified that, after the Bay of Pigs, "Those of us who were still (in the Agency) were enormously anxious to try and be successful at what we were being asked to do by what was then a relatively new Administration. We wanted to earn our spurs with the President and with other officers of the Kennedy Administration." (Helms

1. Helms' Testimony Concerning Authority

As set forth below, Helms testified that while he doubted whether he was initially informed that Harvey gave poison pills to Roselli and did not recall having authorized a Castro assassination in that form, nevertheless, Helms had authorized the 1962 assassination plot because "we felt that we

were operating as we were supposed to operate, that these things if not specifically authorized, at least were authorized in general terms." (Helms, 6/13, p.61)

a. His Perception of Authority

Need clearer statement of pressure

Helms testified that based upon the "intense" pressure exerted by the Kennedy Administration to overthrow Castro it was his perception that the CIA was at all times acting within the scope of its authority with respect to the assassination activity.* But, Helms testified that there was no direct order to assassinate Castro from anyone, including the President or the Attorney General. (Helms, 6/14, p. 88.) (This point is discussed in detail infra p.___,___.) (Helms, 6/13, p. 137; Helms, 7/17, p. 62, 7/17, p. 4-5.) Helms testified that this authority, as he perceived it, was implicit in the U. S. policy and attitude towards Castro. (Helms, 6/13, p. 165.) As Helms testified:

> "I believe it was the policy at the time to get rid of Castro and if killing him was one of the things that was to be done in this connection, that was within what was expected." (Helms, 6/13, p. 137.)

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*The extent to which pressure in fact existed "to do something about Castro" is discussed in detail in the section immediately above dealing with Operation Mongoose, its strategy of causing an internal revolt of the Cuban people against Castro, the strict control system established by the Special Group Augmented, and the pattern of intelligence collection and sabotage activity actually authorized and undertaken.

Helms testified that "I remember vividly (the pressure to overthrow Castro) was very intense." (Helms, 6/13, p. 26.) Helms stated that this pressure intensified during the period of Operation Mongoose during late 1961 and throughout 1962, and then continued on through much of 1963. (Helms, 6/13, p. 27.) As these pressures rose, "obviously the extent of the means that one thought were available, obvious increased too." (Helms, 6/13, p. 26.)

Helms stated that during the Mongoose Operations period "it was made abundantly clear...to everybody involved in the operation that the desire was to get rid of the Castro regime and to get rid of Castro...the point was that no limitations were put on this injunction." (Helms, 7/17, p. 16-17). In Helms' testimony, the following exchange occurred:

> "Senator Mathias: 'Let me draw an example from history. When Thomas A. Beckett was proving to be an annoyance, as Castro, the King said who will rid me of this man. He didn't say to somebody go out and murder him. He said who will rid me of this man, and let it go at that.
>
> "Mr. Helms: 'That is a warming reference to the problem.'
>
> "Senator Mathias: 'You feel that spans the generations and the centuries?'
>
> "Mr. Helms: 'I think it does, sir.'
>
> "Senator Mathias: 'And that is typical of the kind of thing which might be said, which might be taken by the director or by anybody else as presidential authorization to go forward?'
>
> "Mr. Helms: 'That is right. But in answer to that, I realize that one sort of grows up in [the] tradition of the time and I think that any of us would have found it very difficult to discuss assassinations with a President of the U.S. I just think we all had the feeling that we're hired out to keep those things out of the oval office.'
>
> "Senator Mathias: 'Yet at the same time you felt that some spark had been transmitted, that that was within the permissible limits?'
>
> "Mr. Helms: 'Yes, and if he had disappeared from the scene they would not have been unhappy.'" (Helms Tr. 6/13, pp. 72-73)

Helms said that although he never was told by his superiors to kill Castro (Helms, 7/17, p. 15), there was at the same time never any injunction laid down by the Kennedy Administration that proscribed a Castro assassination: "No member of the Kennedy Administration...ever told me that (assassination) was proscribed, (or) ever referred to it in that fashion..." (Helms, 7/71, p. 18.) "Nobody ever said that (assassination) was ruled out..." */(Helms 7/17, p. 43.)

Helms stated that during the Mongoose period, the delivery of poison pills for assassination of Castro, "with all the other things that were going on at that time...seemed to be within the permissible part of this effort." (Helms, 6/13, p. 99.) "In the perceptions of the time and the things we were trying to do this was one human life against many other human lives that were being lost." (Helms, 6/13, p. 64.)**/

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*As Helms declared: "In my 25 years in the Central Intelligence Agency, I always thought I was working within authorization, that I was doing what I had been asked to do by proper authority and when I was operating on my own I was doing what I believed to be the legitimate business of the Agency as it would have been expected of me." (Helms, 6/13, p. 30-31.)

**As set out above (p._____), Helms stated: "...people were losing their lives in raids, a lot of people had lost their life at the Bay of Pigs, agents were being arrested left and right and put before the wall and shot." (Helms, 6/13, p. 64.)

b. Helms' Testimony That He Had No Direct Order to Assassinate Castro and Did Not Inform the President or the Special Group of the Assassination Activity

Helms testified that there was no direct order to assassinate Castro. He said that his perceptions of authority did not reach the point where he could testify that he had specific instructions to kill Castro. As he put it:

> "I have testified as best I could about the atmosphere of the time, what I understood was desired, and I don't want to take refuge in saying that I was instructed to specifically murder Castro. . ." (Helms, 6/13, p.88).

On the question of whether the President was informed of any assassination plots, Helms pointed out that "nobody wants to embarrass a President of the United States (by) discussing the assassination of foreign leaders in his presence" (6/13, p. 29), and that the Special Group was "the mechanism that was set up. . .to use as a circuit breaker so that these things did not explode in the President's face and that he was not held responsible for them." (6/13, p. 29). However, Helms also testified that he had "no knowledge that a Castro assassination was ever authorized by the Special Group (Augmented)" (6/13, pp.28-29).

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In addition, Helms said he never informed the Special Group Augmented or any member of that Group that Harvey had given the pills to Roselli in Miami "because I am not even sure I knew about it at the time." (Helms, 7/18, p.18).*/ Helms also stated he never told Robert Kennedy about any assassination activity and my "presumption is he wasn't informed" (Helms, 6/13, p.58), and that "Harvey kept (the Roselli pill plot) pretty much in his back pocket." (Helms, 6/13,pp.57-58).

Helms further testified that although Robert Kennedy was "constantly in touch" with him in 1962 and 1963, Robert Kennedy never instructed Helms

to assassinate Castro:

> "The Chairman. 'Since he was on the phone to you repeatedly did he ever tell you to kill Castro?'
>
> "Mr. Helms. 'No.'
>
> "The Chairman: 'He did not?'
>
> "Mr. Helms: 'Not in those words, no.'" (Helms, 7/17, p.13)*/

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* Helms immediately reiterated after this exchange that his perception of authority for a Castro assassination rested on the pressure exerted by the Administration against Castro. The exchange between the Chairman and Helms continued as follows:

> "The Chairman: 'Well, did he ever tell you in other words that clearly conveyed to you the message that he wanted to kill Castro?'
>
> "Helms: 'Sir, the last time I was (before the Committee), I did the best I could about what I believed to be the parameters under which we were working, and that was to get rid of Castro. And I don't, I am sorry to say . . . see how one would have expected that a thing like killing or murdering or assassinating would become part of a large group of people sitting around a table in the United States Government. I can't imagine any Cabinet officer wanting to sign off on something like that. I can't imagine anybody wanting something in writing saying I have just charged Mr. Jones to go out and shoot Mr. Smith." (Helms, 7/17, pp. 13-14)

c. Helms Testimony that he Doubted Whether he had Authorized a Specific Assassination Attempt or was Informed of the Passage of the Pills

There is some doubt whether Helms ever authorized a specific attempt at Castro's assassination, or was informed of the passage of the pioson pills to Roselli in April, 1962. Although Helms testified that Harvey regularly reported to Helms on Harvey's Mongoose work (Helms, 6/13, p.95), and Helms "would have thought" that Harvey would have reported to Helms the transfer of the pills into Cuba (Helms, 6/13, p.105), Helms does not recall Harvey ever telling him that the pills were delivered to Roselli. (Helms, 7/17, p.22).

Thus, as indicated above, Helms testified he never informed the Special Group Augmented or any member of that Group that Harvey had given the pills to Roselli in Miami "because I am not even sure I knew about it at the time." (Helms, 7/18, p. 18.)* And with respect to the pills, Helms testified that, although he agreed to the Harvey-Roselli operation (and believed there was implicit authorization for assassination activity) he testified "I never recall having okayed the killing of Castro myself in that form." (Helms, 7/17, p. 9.)

d. Helms' Perception of Robert Kennedy's Position on a Castro Assassination

In testifying as to his perception of authority, Helms emphasized the particular role played by Robert Kennedy in pressing for progress and results

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*/ Helms' testimony that he may not have been informed that the pills were delivered is corroborated by Harvey's testimony. Harvey testified that when he returned from Miami he reported to Helms on his contacts with Roselli. But Harvey said that he only "briefed Helms generally", on the subjects of Harvey's takeover of the Roselli operation, the prospects of the operation, and the fact that Harvey had dropped Maheu and Giancana from the operation. (Harvey, 6/25, p.65).

Robert Kennedy often talked directly with Helms and other CIA officials working on the Mongoose program, outside of the Special Group Augmented channels. (Helms, 7/17, p.13; 7/18, pp.60-61). As Helms stated:

> "I can say absolutely fairly we are constantly in touch with each other in these matters. The Attorney General was on the phone to me, he was on the phone to Mr. Harvey, to Mr. Fitzgerald, his successor. He was on the phone even to people on Harvey's staff, as I recall it." (Helms, 7/17, p.13).

Helms said that although he did not know whether a Castro assassination would have been morally acceptable to Robert Kennedy, Helms believed that Robert Kennedy "would not (have been) unhappy if (Castro) had disappeared off the scene by whatever means." (Helms, 7/17. p.17-18). And Helms stated that Robert Kennedy never told him that a Castro assassination was ruled out. (Helms, 7/17, p.21).

However, Helms further testified that although Robert Kennedy was "constantly in touch" with Helms and their exchanges were marked by detailed, factual, and highly specific discussions on anti-Castro operations. Robert Kennedy never raised the subject of a Castro assassination and never instructed Helms to assassinate Castro.** Helms further testified that he had no knowledge that Robert Kennedy "was ever asked to specifically approve an assassination plot." (Helms, 6/13, p. 57.).

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* Q: "So it was your impression that he was sort of setting the tone for the group's action or activity."
A: "Oh, yes...there wasn't any doubt about that. He was very much interested in this and spent a great deal of time on it." (Helms, 6/13, p. 22.)

**The telephone records of the Attorney General's office indicate frequent contact between the Attorney General and Helms and Helms stated that his conversations with Robert Kennedy were "candid" and that "he and I used to deal in facts most of the time." (Helms, 6/18, p.63.) Helms testified as to the level of detail in his talks with Robert Kennedy:

> "For example, we had projects to land sabotage teams.*/ Well, (the Attorney General would ask) have you got the team organized, did the team go? Well, no, we've been delayed a week because the weather is bad or the boats don't run, or something of this kind. It even got down to that degree of specificity." (Helms, 7/17, p.40)

And, as stated above, Helms also testified that "Harvey kept Phase 2 (the Roselli pill operation) pretty much in his back pocket" and that although Helms stated "I do not know this for sure," he testified it was his "presumption" that Robert Kennedy was not informed of the PHase 2 operation.* (Helms, 6/13, p. 57-58.)

e. <u>Helms' Testimony as to Why He Did Not Obtain a Direct Order</u>

Helms testified that assassination "was not part of the CIA's policy" or a part of CIA's "armory". (Helms, 6/13, p. 87-88.) And, in his own view, Helms said that he "never liked assassination". (And, in fact, banned its use _____ years after he became CIA Director.) (Helms, ______.)

Moreover, Helms testified that he had serious reservations regarding the CIA working with underworld figures. (Helms, 7/18 p.31). When Harvey proposed to contact Roselli to see if gangster links to Cuba could be developed, Helms "had very grave doubts about the wisdom of dealing with underworld figures. (Helms, 6/13, p.33; 7/18, p.31).

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Despite these reservations, Helms did not seek approval for the assassination activity because he said assassination was not a subject that he felt should be aired with higher authority. (Helms, 7/18, pp.31-32). With respect to the question of obtaining express authority

by him rather than DCI.

* Helms based this presumption on a review of relevant documents at the time of his testimony. (Helms, 6/13, p.58).

from the Special Group or Special Group Augmented, Helms stated: "... I didn't see how one would have expected that a thing like killing or murdering or assassination would become a part of a large group of people sitting around a table in the United States Government." (Helms, 7/17, p. 14). And with regard to informing the President or obtaining explicit authority from him, Helms stated that "nobody wants to embarrass a President of the United States (by) discussing the assassination of foreign leaders in his presence." (Helms, 6/13, p. 29).

Thus, in the following exchange Helms stated that it "wouldn't have occurred to me to ask" for clarification or express authority for assassination activity from Robert Kennedy or the Special Group:

> "Senator Huddleston: "...it did not occur to you to inquire of the Attorney General or of the Special Group or of anyone that when they kept pushing and asking for action...to clarify that question of whether you should actually be trying to assassinate?"
>
> "Mr. Helms: "I don't know whether it was in training experience, tradition or exactly what one points to, but I think to go up to a Cabinet officer and say, am I right in assuming that you want me to assassinate Castro or to try to assassinate Castro, is a question it wouldn't have occurred to me to ask."
>
> ***
>
> "Senator Huddleston: "...(because assassination has such serious consequences) seems to fortify the thought that I would want to be dead certain, I would want to hear it from the horse's mouth in plain, simple English language before I would want to undertake that kind of activity." (Helms, 7/17, pp.51-52).

Helms also pointed out his reason for not seeking express authority in the following exchange:

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> "Senator Morgan: "In light of your previous statement that this is a Christian country and that this Committee has to face up to the prime moral issue of whether or not killing is...acceptable...don't you think it would have taken affirmative permission or authority to kill, rather than just saying it was not eliminated from the authority or you were not restricted...?"

> "Mr. Helms: "...killing was not part of the CIA's policy. It was not part of the CIA's armory...but in this Castro operation...I have testified as best I could about the atmosphere of the time, what I understood was desired (and) that this was getting rid of Castro, if he had been gotten rid of by this means that this would have been acceptable to certain individuals...I was just doing my best to do what I thought I was supposed to do." (Helms, 6/13. pp.87-88).

When asked why he did not seek clarification from the Special Group, its members, or Robert Kennedy whether it was "in fact, the policy of the U.S. Government to actually kill Fidel Castro," Helms answered "I don't know..."

> "...There is something about the whole chain of episodes in conncection with this Roselli business that I am simply not able to bring back in a coherent fashion. And there was something about the ineffectuality of all this, or the lack of conviction that anything ever happened, that I believe in the end made this thing simply collapse, disappear. And I don't recall what I was briefed on at the time. Maybe I was kept currently informed and maybe I wasn't, and today I don't remember it...But I do not recall ever having been convinced that any attempt was really made on Castro's life. And since I didn't believe any attempt had been made on Castro's life, I saw no reason to pursue the matter further." (Helms, 7/18, pp.31-32).

f. <u>Helms' Perception of the Relevance of Special Group Controls to Assassination Activity</u>

The evidence concerning the control system established by the Special Group for the Mongoose Operation is discussed above (see p. ____).

Helms stated, however, that the control system established by the Special Group for Mongoose was not intended to apply to assassination activity. (Helms, 7/18, p.21). Thus, with respect to the Special Group Augmented's decision on March 5, 1962 that major operations going beyond the collection of intelligence must receive advance approval, Helms stated that this referred to "rather specific items that the Special Group had on its agenda" from the outset of Mongoose. (Helms, 7/18, p.21). Since assassination was not among such items, Helms stated

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that the Special Group would not have expected assassination activity to come under this particular policy. (Helms, 7/18, p.21). And with respect to the Special Group Augmented's desire to "keep its hands tightly on preliminary actions" leading towards sabotage and other actions beyond intelligence collection, Helms stated that was the kind of injunction "that appears in all kinds of governmental minutes of meetings." (Helms, 7/18, p.17). Helms said he regarded these as "general injunctions: rather than an "all inclusive injunction" to keep the Group informed of all matters. (Helms, 7/18, -.17).

Helms said he recognized, however, that there were limits on permissible activity during Mongoose.*/ (Helms, 7/18,p.9). Thus, Helms stated that although there were "no limitations" on actions to remove Castro during Mongoose, there were restraints on sabotage operations and he did not understand the absence of specific limitations to authorize more drastic actions, such as committing the U.S. military to an invasion of Cuba. (Helms, 7/18, p.9).

In addition, Helms testified that he saw no need to inform the Special Group of the Harvey-Roselli operation because that operation was characterized by "ineffectuality" and a "lack of conviction that anything ever happened." (Helms, 7/18, p.32). Helms stated he did not believe any attempt had been made on Castro's life by virtue of Harvey's meetings in Miami with Roselli. (Helms, 7/18, p.32).

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*/ Helms testified, that although loss of life was implicit in the Mongoose operations,

> "I think there was an effort made not to take tacks that would recklessly kill a lot of people and not achieve very much. I think there was an effort, if you had a sabotage operation, not to throw a lot of hand grenades into a city, but rather take out the power plant which would actually damage the economy of the country. There was an effort made to find devices that would seem to have a useful end. (Helms, 7/17, p.63-64).

2. Harvey's Testimony Concerning Authority

a. Harvey's Perception of Authority

Harvey stressed that at all times he was acting as a line officer reporting to his immediate superior within the Agency, the Deputy Director for covert actions (first Bissell, then Helms.)* (Harvey, 6/25, p. 83).

Similarly, Harvey also pointed out that his information with respect to authorization from outside the agency came from the Deputy Director:

> "(a)t no time during this entire period...did I ever personally believe or have any feeling that I was either free-wheeling or end-running or engaging in any activity that was not in response to a considered, decided U. S. policy, properly approved, admittedly, perhaps, or through channels and at levels I personally had no involvement in, or first-hand acquaintance with, and did not consider it at that point my province to, if you will, cross-examine either the Deputy Director or the Director concering it." (Harvey 6/25, p. 83.)

Thus, Harvey relied upon his superiors within the Agency for authority. Indeed, Harvey indicated that his perception of the authorization for the 1962 assassination activity may have come from the period when Allen Dulles was DCI. As Harvey stated:

> "But I had every right to believe organizationally, humanly, whatever way you want to put it, that nothing that was being told to me by Bissell had not in fact come to him from /Allen Dulles/.

But Harvey made clear that this did not imply that McCone knew of or authorized the assassination activity:

> "The Chairman: 'That doesn't necessarily mean that because the previous director had knowledge that Mr. McCone had knowledge. It is not like a covenant that runs in the land.'"
>
> "Mr. Harvey: 'No, of course not, and they don't always brief their successors.'" (Harvey, 6/25, p. 85.)

b. Harvey and the Special Group Augmented

Harvey testified that he never informed the Special Group Augmented, or any of its members individually, of the ongoing assassination plots. As we described earlier, the Special Group Augmented and its Mongoose program began its Cuba activities in late 1961 through 1962. Harvey attended many of the Special Group Augmented meetings as the CIA's representative. He testified that at no time was assassination discussed at any of the meetings, except for the August 10, 1962 meeting.* ———— where crucial meeting / goes to McC + Bundy + Goodwin test

We took substantial testimony covering the April/May 1962 period when the underworld contact was reactivated, the pills were passed to Roselli and delivered to Cuba. Harvey had been appointed several months earlier as head of the CIA's Task Force W, which operated under the Special Group Augmented as the CIA's action arm for Mongoose activities.

In the latter part of April, Harvey went to Miami where the CIA had its large (at least 200 persons) JM/WAVE Station. As Harvey testified, in addition to his meeting with Roselli and the delivery of the poison pills, Harvey's trip had other totally unrelated (in Harvey's view) purposes as well:

> "...this was one of a number of periodic trips for the purpose of reviewing in toto...the actual and potential operations at the Miami base...and this covered the whole gamut from personnel administration, operational support in the way of small craft [and] so on.."(Harvey, 7/11, pp. 15-16).

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The Special Group Augmented expected to receive a report from Harvey on his April trip to Miami. On April 19, 1962, while Harvey was in Miami, Lansdale told the Special Group Augmented that:

> "Upon the return of Mr. Harvey from his current field visit, more specific information on the status of agent training and operations should be made available." (Memorandum for

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* This meeting and the testimony concerning it is treated in depth in the section, infra, pp.____.

the Special Group, April 19, 1962, from Lansdale, p._____). On April 26, 1962, the Special Group Augmented was informed by Lansdale that Harvey was in Florida "initiating a new series of agent infiltrations" and would return to Washington on April 30. (Memorandum for the Special Group /Augmented/, April 26, 1962, from Lansdale.) At the Special Group meeting on the same day General Taylor requested that Harvey "attend the next meeting and report on agent activities." (Memorandum for the Record, April 26, 1962, by McCone.) The next day, April 26, 1962, Harvey was sent a memorandum informing him of General Taylor's request as well as the fact that McCone wanted to meet with Harvey and Lansdale "immediately on your return to discuss the Task Force activities," (Memorandum for Action, Elder to Harvey, April 27, 1962.)

Harvey did report to the Special Group upon his return but did not mention his meeting with Roselli or the delivery of the pills and the weapons.

Harvey testified that when he reported to the Special Group Augmented on his trip to Miami, he did not inform them or, indeed, any individual outside the Agency, that he had given the pills to Roselli. (Harvey, 7/11, p. 16.)* And when McCone asked Harvey to brief him on what Harvey had done in Miami, Harvey did not tell McCone of the pills.As indicated above, Harvey did not believe it was necessary to do so. (Harvey, 7/11, p. 17.)*

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* Harvey testified with respect to why he did not brief the Special Group Augmented, in the following exchange:

> "Q.: '...Did you believe that the White House did not want the Special Group to know?'"
>
> "A.: 'Well, I would have had no basis for that belief, but I would have felt that if the White House (tasked) this (operation to the CIA) and wanted the Special Group to know about it, it was up to the White House to brief the Special Group and not up to me to brief them, and I would have considered that I would have been very far out of line and would have been subject to severe censure."* (Harvey Tr. 7/11, p. 77).

The minutes of the May 3, 1962, Special Group Augmented meeting make no mention of Harvey's above-related plot activities. The minutes of that meeting show that on his return from Miami, Harvey gave a progress report to the Special Group Augmented on "agent teams" and the "general field of intelligence". (Harvey, Ex. 3, Memorandum of Special Group Augmented Meeting, May 1962, p. 1.) Harvey reported that three agent teams had been infiltrated and that 72 actual or potential reporting sources were also in place. (Harvey Ex. 3, p. 1.)

Shortly after the May 3 meeting, General Taylor went to see the President to give him what he called a "routine briefing" (Taylor Tr. _____, p. _____). General Taylor's memorandum of his briefing of the President similarly makes no reference to Harvey's contacts with Roselli or the delivery of pills and guns. (Memorandum for Record May 7, 1962, by General Taylor.) Taylor testified that he had never heard of Harvey delivering pills to poison Castro, or of any assassination attempts. (Taylor Tr. _______, p. 42.)

3. Testimony of Kennedy Administration Officials

In addition to examining the actual nature of the Mongoose operation (discussed above at p. ___), we took considerable testimony from Kennedy Administration officials on the question of authority for a Castro assassination in the Mongoose period. Set out in the section below is the testimony of the Kennedy Administration officials principally involved in the MOngoose operation and the Special Group Augmented, all of whom testified the assassination plots were not authorized. These were McCone, the Director of CIA and a member of the Special Group Augmented; General Taylor, Chairman of the Special Group Augmented; General Lansdale, Chief of Operations for Mongoose; Special Group Augmented members Bundy and Gilpatric; Secretary of State Rusk; and Secretary of Defense McNamara. Their testimony focused on the principal issues raised by Helms, including: (1) whether any authority for a Castro assassination existed; and (2) whether they had knowledge of any Castro assassination activity.*

why prior to April

In the succeeding section we discuss the August 10, 1962, meeting where the subject of a Castro assassination was raised.

a. Testimony of McCone

McCone testified that at no time during his service in the Kennedy Administration as DCI (1961-1963), did President Kennedy, Robert Kennedy or any member of the Cabinet or White House staff discuss with him any Castro assassination plans or operations. (McCone, p. 44.)

As discussed above in greater detail, McCone, the Director of Central Intelligence and Helms immediate superior, testified he did not authorize and was not informed about, the assassination activity. (McCone, p. 3.)

*In addition, the Committee questioned the Kennedy Administration members as to the likelihood that an assassination order might have been given to Helms by Robert Kennedy through a "back channel", outside the normal chain of command; however, Helms subsequently appeared and testified that no such order was ever given by Robert Kennedy. (See p. ___ above.)

McCone pointed out that although the Cuban problem was discussed in terms of "dispose of Castro," or "knock off Castro", these terms were meant to refer to "the overthrow of the Communist Government in Cuba" and not a Castro assassination. (McCone, p. 44; McCone Ex. 4, memorandum April 14, 1967, to Helms.)

McCone further stated that "it is very hard for me to believe" that Robert Kennedy would have initiated a Castro assassination activity without consulting with the Special Group Augmented. (McCone, p. 52).

b. Testimony of Taylor

Taylor served as Chairman of the Special Group Augmented during the Mongoose Operation (Taylor, 7/9, p.   ). In addition, Taylor also served as President Kennedy's Military Representative and Intelligence Advisor after the Bay of Pigs until his appointment as Chairman of the Joint Chiefs of Staff in November 1962 (Taylor, 7/9, p.   ; Bundy, 7/11, p. 25).

Taylor testified that a Castro assassination plan was "never" submitted to the Special Group Augmented, either orally or in writing. (Taylor, p. 41). Taylor further testified that he and the Special Group Augmented were never told of the passage of the poison pills to Roselli in April 1962, and that the passage of these pills without the knowledge of the Special Group Augmented was "entirely, completely out of /the/ context and character of the way the /Special Group Augmented/ operated or the way it would accept" that an operation was properly authorized. (Taylor, p. 43). And Taylor testified that although the Special Group Augmented was "certainly anxious for the downfall of Castro" an "assassination never came up" in the meetings and discussions of the Special Group Augmented. (Taylor, p. 62).

— 32 meeting proposal

With respect to whether President Kennedy or Robert Kennedy or Robert Kennedy might have bypassed the Special Group Augmented to deal directly with Helms or CIA officers to assassinate

Castro, Taylor testified that this would have been "entirely contradictory to every method of operation I ever saw on the part of the President and his brother." (Taylor, p. 45). Taylor stated "the President and the Attorney General would never have gone around" the Special Group Augmented. (Taylor, p. 49).

Although Taylor acknowledged that Robert Kennedy frequently pushed for more direct action during Mongoose, Taylor stated that "there was no suggestion /of/ assassination" in these urgings. (Taylor, p. 67). Taylor testified that Robert Kennedy dealt directly with Lansdale outside Special Group Augmented channels "only for the purpose of imparting his own sense of urgency" but "never" would Robert Kennedy have done so on substantive issues:

> "Senator Hart of Colorado: But on substantive issues, he wouldn't, in effect, been dealing behind your back?"
>
> "General Taylor: Never. Never. That was not his way." (Taylor, p. 53). */

c. Testimony of Lansdale

Lansdale testified that he "was very certain" that he never discussed a Castro assassination with either President Kennedy

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* The evidence showed, however, that there were occasions when the Attorney General dealt with those concered with Mongoose without consulting General Taylor. For example, as discussed in greater detail (in the section on Mongoose operations) on January 18, 1962, General Lansdale sent a copy of his program review to Robert Kennedy attached to which was a cover memorandum indicating that other "sensitive work" not in the review was to be dealt with only between the President, the Attorney General, and Lansdale. The nature of that work (which Lansdale testified involved political contacts in the Cuba exile community) is discussed at p. ____ above.

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might have

or Robert Kennedy:

> "The Chairman: You do not recall ever having discussed with the Attorney General a plan or a proposal to assassinate Fidel Castro?"
>
> "General Lansdale: No. And I am very certain Senator, that such a discussion never came up...neither with the Attorney General or the President." (Lansdale, p. 18.)*

Lansdale further testified that the plausible deniability concept had no part in the fact that he never discussed a Castro assassination with President Kennedy or the Attorney General.** Lansdale testified that he "had doubts" that assassination was a "useful action, and one which I had never employed in the past, and during work in copying with revolutions and I had considerable doubts as to its utility and I was trying to be very pragmatic." (Lansdale, p. 31.) When asked if he thought the President was not aware of efforts to depose Castro and his government by any means including assassination, Lansdale answered "I am certain he was aware of efforts to dispose of the Castro regime. I am really not one to guess what he knew of assassinations, because I don't know." (Id., p. 32.)

With regard to the Castro assassination attempts, Lansdale testified that Harvey "never" told him that Harvey was attempting to assassinate Castro. (Lansdale, p. 24.) Lansdale stated:

> "I had no knowledge of such a thing. I know of no order or permission for such a thing and I was given no information at all that such a thing was going on by people who I have now learned were involved with it." (Lansdale, p. 58). */

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*/ Thus, when Lansdale was questioned about the "touchdown plays" (discussed in detail above at p.), there was this testimony:

"Senator Baker: Now do you completely rule out the possibility that the touchdown play had to do with the possible assassination efforts against Fidel Castro?"

"General Lansdale: Yes ... I never discussed, nor conceived, nor received orders about an assassination of Castro with my dealings with either the Attorney General or the President."

**/ "Senator Baker: Is that the reason you didn't, because of the principle of deniability?"

"General Lansdale: No, it wasn't. The subject never came up, and I had no reason to bring it up with him."

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As discussed below in detail at pp ____, after the subject of a Castro assassination was raised at the August 10, 1962 meeting of the Special Group Augmented, Lansdale directed Harvey to prepare a plan for the "liquidation" of Cuban leaders. However, no such plan was ever prepared and, as the IG Report concluded, the August 10 meeting was "unrelated to any actual attempts at assassination." (IG, p. 118).

With respect to the possibility that Robert Kennedy might have by-passed the SGA and Lansdale to deal directly with Agency officials on a Castro assassination, Lansdale testified:

> "I never knew of a direct line of communication between the President or the Attorney General and Harvey apart from me on this...."

During the course of the Committee's investigation into these allegations of assassination efforts by the U.S. government, however, General Lansdale spoke with several reporters concerning the subject of a Castro assassination plan in 1962. Lansdale's comments to the reporters are dealt with below in connection with the August 10, 1962, meeting of the Special Group.

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*/ "Senator Huddleston: You never had any reason to believe that the Attorney General had dealt directly with Mr. Harvey?"

"General Lansdale: I hadn't known about that at all, no...."

"Senator Huddleston: ...You have no reason to believe that he might have broached (a Castro assassination) with the Attorney General?"

"General Lansdale: I wouldn't know that -- I certainly didn't know it."

"Senator Huddleston: You had no reason to believe that there was any kind of activity going on in relation to Cuba outside of what you were proposing or what was coming before the Special Group?"

"General Lansdale: No, I was supposed to know it all, and I had no indication that I did not know it all (except for one operation by Harvey unrelated to assassinations)."

d. Testimony of Bundy

Bundy served as President Kennedy's Special Assistant for National Security Affairs throughout the Kennedy Administration. (Bundy, p. 2). In addition, Bundy participated in the planning that led to the creation of Operation Mongoose and was a member of the Special Group Augmented. (Bundy, pp. 34, 87).

Bundy testified that the matter of a Castro assassination was "mentioned from time to time" over the period 1961-1963 but "never to me that I can recall by the President." (Bundy, p. 73). Bundy emphasized that the question came up "as something to talk about rather than to consider." (Bundy, p. 73.)

Bundy testified that it was his conviction that "no one in the Kennedy Administration, in the White House ... ever gave any authorization, approval, or instruction of any kind for any effort to assassinate anyone by the CIA." (Bundy, p. 54). Bundy testified that he knew and worked on an intimate basis with both President Kennedy and Robert Kennedy during the entire Kennedy Administration, and testified that it was "incredible" that they would have authorized a Castro

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assassination, either explicitly or implicitly as a result of pressure they exerted in the anti-Castro effort:

> "The Chairman: Based upon that acquaintanceship, do you believe, under any of the circumstances that occurred during that whole period, either one of them would have authorized the assassination of Fidel Castro?"
>
> "Mr. Bundy: I most emphatically do not ... If you have heard testimony that there was pressure to do something about Cuba, there was. There was an effort, both from the President in his style and from the Attorney General in his style to keep the government active in looking for ways to weaken the Cuban regime. There was. But if you, as I understand it, and not even those who pressed the matter most closely as having essentially been inspired by the White House can tell you that anyone ever said to them, go and kill anyone.
>
> Let me say one other thing about these two men, and that is that there was something that they really wanted done, they did not leave people in doubt, so that on the one hand, I would say about their character, their purposes, and their nature and the way they confronted international affairs that I find it incredible that they would have ordered or authorized explicitly or implicitly an assassination of Castro. I also feel that if, contrary to everything that I know about their character, they had had such a decision and such a purpose, people would not have been in any doubt about it." (Tr. 98-99).

Bundy was asked "have you any way to explain to the Committee, as to why Mr. Helms would testify that he...had no doubts, that the Agency was fully authorized to proceed to not only develop schemes, but to engage in active attempts to assassinate Castro?" Bundy replied: "I have no explanation of that." (Bundy, pp. 99-100)

Bundy further testified that despite the extreme sense of urgency that arose during the Cuban Missile Crisis, Castro's assassination was never discussed, and it was "totally inconsistent" with the policies and actions taken by the President and Robert Kennedy in that

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crisis for them to have authorized a Castro assassination. (Bundy, p. 95, 97-98).*

Bundy further stated that he was never told by anyone that assassination efforts were underway against Castro, that underworld figures were hired by the CIA in this regard, or that Harvey was engaged in Castro assassination activity. (Bundy, p. 63.)

Bundy testified that he heard about the concept of "executive action" "Some time in the early months of 1961". (Bundy, 7/11/75, p. 4.) But since this was presented to him as an untargeted capability only he did not "discourage or dissuade" the person who briefed him on this. (Bundy, p. 4, 7, 10.) When asked if he had any recollection of any specific covert plans that involved poisons in conjunction with activities against Cuba, Bundy stated

> "I have no recollection of any specific plan. I do have a very vague, essentially refreshed recollection that I heard the word poison at some point in connection with a possibility of action in Cuba. But that is as far as I have been able to take it in my own memory. (Bundy, p. 42).

Bundy stated further that this recollection relating to poison involved a proposal that seemed "impractical" because it was going to kill a large group of people in a headquarters mess, or something of that sort." (Bundy,p.42-43).

*/ Bundy stated:

> "... the most important point I want to make ... is that I find the notion that they separately, privately encouraged, ordered, arranged efforts at assassination totally inconsistent with what I knew of both of them. And, as an example, I would cite -- and one among very many -- the role played by the Attorney General in the Missile Crisis, because it was he who, most emphatically, argued against a so-called surgical air strike or any other action that would bring death upon many, in favor of the more careful approach which was eventually adopted by the President in the form of a quarantine or a blockade." (Bundy, p. 98).

why/

With respect to the possibility that Robert Kennedy may have authorized assassination outside of Special Group Augmented channels, Bundy stated that although Robert Kennedy did spur people to greater effort during Mongoose, "he never took away from the existing channel of authority its authority or responsibility." (Bundy, pp. 47-48). Bundy further testified that there existed between Robert Kennedy and Maxwell Taylor (the Special Group Augmented Chairman) "a relation of real trust and confidence." In view of this relation, Bundy stated it was his opinion that Robert Kennedy would not have by-passed Taylor to develop a "back-channel" relationship with someone else to assassinate Castro. (Bundy, p. 87).

e. Testimony of MacNamara

MacNamara served as Secretary of Defense throughout the Kennedy and Johnson Administrations. In that capacity, he represented the Department of Defense as a member of the Special Group and the Special Group Augmented during the Mongoose Operations.

McNamara stated that he had no knowledge or information of any proposal for the assassination of Premier Castro coming from President Kennedy or Robert Kennedy. (McNamara, 7/11/75, p. 4.) He did note that "we were hysterical about Castro at the time of the Bay of Pigs and thereafter, and that there was pressure from (President Kennedy and Robert Kennedy) to do something about Castro. But I don't believe we contemplated assassination. We did, however, contemplate overthrow." (McNamara, p. 93.)

There occurred during McNamara's testimony an exchange which is appropriate to set out in full because of the manner in which it captures the dilemma posed by the evidence on the question of authority:

> "The Chairman. We also have received evidence from your senior associates that they never participated in the authorization of an assassination attempt against Castro nor ever directed the CIA to undertake such attempts.
>
> We have much testimony establishing the chain of command where covert action was concerned, and all of it has been to the effect that the Special Group or the Special Group Augmented had full charge of covert operations, and that in that chain of command any proposal of this character or any other proposal having to do with covert operations being directed against the Castro regime, or against Castro personally, were to be laid before the Special Group Augmented and were not to be undertaken except with the authority of that group and at the direction of that group.
>
> Now, at the same time we know from the evidence that the CIA was in fact engaged during the period in a series of attempts to assassinate Castro.
>
> Now, you see what we are faced with is this dilemma. Either the CIA was a rogue elephant rampaging out of control, over which no effective direction was being given in this matter of assassination, or there was

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some secret channel circumventing the whole structure of command by which the CIA and certain officials in the CIA were authorized to proceed with assassination plots and assassination attempts against Castro. Or the third and final point that I can think of is that somehow these officials of the CIA who were so engaged misunderstood or misinterpreted their scope of authority.

Now it is terribly important, if there is any way that we can find out which of these three points represented what actually happened. That is the nature, that is the quandary.

Now, is there anything that you can tell us that would assist us in finding an answer to this central question?

Mr. McNamara. I can only tell you what will further your uneasiness. Because I have stated before and I believe today that the CIA was a highly disciplined organization, fully under the control of senior officials of the government, so much so that I feel as a senior official of the government I must assume responsibility for the actions of the two, putting assassination aside just for the moment. But I know of no major action taken by CIA during the time I was in the government that was not properly authorized by senior officials. And when I say that I want to emphasize also that I believe with hindsight we authorized actions that were contrary to the interest of the Republic but I don't want it on the record that the CIA was uncontrolled, was operating with its own authority and we can be absolved of responsibility for what CIA did, again with exception of assassination, again which I say I never heard of.

The second point you say that you have, you know that CIA was engaged in a series of attempts of assassination. I think to use your words. I don't know that. I accept the fact that you do and that you have information I was not aware of. I find that impossible to reconcile. I just can't understand how it could have happened and I don't accept the third point, that they operated on the basis of minunderstanding, because it seems to me that the McCone position that he was opposed to it, his clear recollection and his written memo of 1967 that I was strongly opposed to it, his statement that Murrow opposed, all should eliminate any point of misunderstanding. So I frankly can't reconcile. (TR. 38-41)

McNamara further stated that "I find it almost inconceivable that the assassination attempts were carried on during the Kennedy Administration

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days without the senior members know it, and I understand the contradiction that this carries with respect to the face." (McNamara, p. 4.) He further emphasized that for the President or Robert Kennedy to have approved a Castro assassination was "totally inconsistent with everything I know about the two men." (McNamara p. 90.)

f. Testimony of Gilpatric

Gilpatric served as Deputy Secretary of Defense throughout the Kennedy Administration. (Gilpatric, p. 5; Gilpatric Ex. 1, p. 5.) In that capacity, Gilpatric represented the Department of Defense as a member of the Special Group and the Special Group Augmented during the Mongoose operation. (Gilpatric, p. 5.)

Gilpatric testified that he understood the mandate of the Special Group during Mongoose was not to kill Castro, but to "so undermine, so disrupt the Cuban system under Castro that it could not be effective."* (Gilpatric, p. 28). Gilpatric emphasized that "it was the system we had to deal with" and words such as "get rid of Castro" were said "in the context of the system, of the .... government he had installed and was presiding over, but of which /Castro/ was only one part." (Gilpatric, p. 29).

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* Initially in his first appearances before the Committee Mr. Gilpatric was unable to recall any of the events or characters involved in Operation Mongoose. He failed to recall that General Lansdale was the Chief of Operations for the project, or Lansdale's involvement in the Special Group Augmented even though Gilpatric recommended Lansdale for promotion to Brigadier General. Gilpatric testified that the lapse of time, approximately fifteen years, had impaired his memory on these events. (Gilpatric, pp. 6-9.) (Insert possible proposed additional language by Smothers.)

Gilpatric said that he knew of no express restriction that would have barred the killing of Castro. But Gilpatic testified that he understood "There were limits on the use of power" and that these precluded the use of assassination. (Gilpatric, p. 31). Thus, while Gilpatric said that it was "perfectly possible" that one might reasonably have inferred assassination was authorized, nevertheless, the limits on action set down by the Special Group Augmented would have required that specific efforts be made by one receiving general instructions to clarify whether those instructions authorized assassination.*/ He added that "within our charter, so to speak, the one thing that was off limits was military invasion." (Id. p. 45). In this context of the Mongoose charter, Gilpatric, when asked whether the "killing of Castro by a paramilitary group (would) have been within bounds." he responded, "I know of no restriction that would have barred it." (Id.) In response to a question as to whether there was any concern for the limits on the activities of personnel involved in these raids and infiltration efforts, Gilpatric said: "No, to the contrary. The complaint that the Attorney General had, if we assume he was reflecting the President's views on it, /was that/ the steps taken by the CIA up to that point, /and/ their plans were too petty, were too minor, they weren't massive enough, they weren't going to be effective enough." (Id., p. 47.) However, as discussed above at p._____, on March 5, 1962, the Special Group Augmented had agreed, with respect to "action-type" agents, that it "must keep its hand tightly" on these agents' activities, and although once such agents were inside Cuba, they could not be "effectively controlled," the Group would make "every effort...to attempt such control."

push

*/ In Gilpatric's testimony, there was the following exchange:

"Senator Huddleston:...It's on the basis of these words that everybody admits were used, like replace or get rid of, on the basis of these kinds of conversation alone that /Helms/ was firmly convinced and that apparently went right down through the whole rank of command, firmly convinced that he had the authority to move against the life of a head of state. (Footnote continued on next page.)

Gilpatric testified that "it was not unusual" for President Kennedy and Robert Kennedy to deal directly with people at various levels in the Executive Branch. (Gilpatric, p. 58). With respect to Mongoose, Gilpatric said that Robert Kennedy was the "moving spirit" (Gilpatric, p. 11). But Gilpatric stated that Robert Kennedy's role was "principally to spur us on, to get going, get cracking." (Gilpatric, p. 47). Thus, although Robert Kennedy frequently complained that the plans of the CIA and Mongoose weren't "massive enough" and that "we should get in there and do more," Gilpatric pointed out that Robert Kennedy was not making specific proposals in these urgings, and the result he desired was a general one "to limit the Castro regime's effectiveness," rather than any specific measure. (Gilpatric, p. 47).

g. Testimony of Rusk

Dean Rusk served as Secretary of State throughout the Kennedy Administration. Rusk participated in a number of Special Group Augmented meetings during the Mongoose operation. (Rusk, p. ___).

(Footnote continued from previous page.)

Now this disturbs me, and I don't know whether our councils of government operate that way in all areas or not, but if they do then it seems to me it would raise a very serious question as to whether or not the troops are getting the right orders."

"Mr. Gilpatric....I thought there were limits on the use of power, and that was one of them."

"Senator Huddleston. And going beyond that would require that somebody make a specific effort to make sure he understood precisely what they were talking about, would that be your interpretation?"

"Mr. Gilpatric. It would." (Gilpatric, p. 31).

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Rusk testified that he had never been informed of any Castro assassination plans or undertakings and had no knowledge of any such activity. (Rusk, p. 52).

Rusk further testified that he found it "very hard to believe" that President Kennedy or Robert Kennedy would have, in the course of urging action against Castro, sanctioned the use of any measure against Castro.*/ Rusk said that, while it was "possible" that a person, in good faith, might have thought specific courses of action were authorized from the emphasis given to taking action against Castro, nevertheless Rusk testified that with respect to a Castro assassintion,

> "It would have been an abuse of the President and the Attorney General if somebody had thought they were getting that without confirming that this was, in fact, an official, firm policy decision. (Rusk, pp. 98-99).

With respect to whether President Kennedy or Robert Kennedy might have communicated directly with Helms or Harvey on a Castro assassination effort, Rusk testified that, based on his experience and the manner in which foreign affairs matters were handled, I don't see how it could have happened." (Rusk, p. 99).**/

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*/ "Senator Huddleston...(Do) your contacts with Robert Kennedy or President Kennedy, indicate to you that they were agitated to such an extent about Cuba and Mongoose progress that in a conversation with someone urging them to get off their rear-end and get something done that they might convey the message that they meant anything, go to any length to do something about the Castro regime?
"Mr. Rusk. I find it very hard to believe that Robert Kennedy standing alone, or particularly Robert Kennedy alleging to speak for President Kennedy, would have gone down that trail..."

**/"Senator Mondale...We asked General Taylor yesterday whether he thought something of informal, subterranean, whatever kinds of communications from the highest level to Helms would have been possible without his (Footnote continued on following page.)

h. Testimony of Sorensen

Sorensen served as a Special Assistant to President Kennedy during the entire Kennedy Administration. Sorensen was a member of the National Security Council Executive Committee that dealt with the Missile Crisis, although he was not involved with Mongoose.

Sorensen testified that in his daily personal meetings with the President and at all the National Security Council meetings he attended, there was "not at any time any mention -- much less approval by him -- of any U.S.-sponsored plan to assassinate any foreign leaders" (Sorensen, p. 4). Based upon his close contact with President Kennedy, Sorensen stated that it was his opinion that:

> "such an act (as assassination) was totally foreign to his character and conscience, foreign to his fundamental reverence for human life and his respect for his adversaries, foreign to his insistence upon a moral dimension in U.S. foreign policy and his concern for his country's reputation abroad, and foreign to his pragmatic recognition that so horrendous but inevitably counter-productive a precedent committed by a country whose own chief of state was inevitably vulnerable." (Sorensen, p. 5).

(Footnote continued from previous page.)

knowledge, and he said he felt that was incredible, he didn't think it was possible.
Do you think that it would be likely that an informal order around channels, say to Helms or to Harvey--
The Chairman. Over a three-year period.
Senator Mondale. Over a three-year period would have been possible without your being informed?
Mr. Rusk. Theoretically, Senator, one would have to say it is possible.
Senator Mondale. But based on your experience?
Mr. Rusk. In terms of practicality, probability and so forth, I don't see how it could have happened.
You know those things, in these circles we were moving in could not be limited in that way. You know the echoes would come back."

F. The August 10, 1962 Meeting

As indicated above (see p. ____), the question of a Castro assassination was raised at a meeting of the Special Group Augmented on August 10, 1962. Thereafter, on August 13, 1962, Lansdale directed Harvey to include in a proposed plan for Phase II of Mongoose a plan for the "liquidation of leaders" as an option. We took considerable testimony and examined the documents relating to the August 10 meeting, the nature of the discussion of a Castro assassination, and Lansdale's subsequent request for a contingency plan.

goes to Bundy level action

At the outset, it should be noted that the documents and testimony showed that discussion of a Castro assassination at the Agust 10, 1962 meeting had no connection to the assassination activity undertaken by Harvey and Roselli, or any other Castro assassination plans or efforts. As the CIA Inspector General found:

Do we want this intro?

> "The subject (of a Castro assassination) was raised at a meeting at State on 10 August 1962, but it is unrelated to any actual attempts at assassination. It did result in a MONGOOSE action memorandum by Lansdale assigning to CIA action for planning liquidation of leaders. (IG, p. 118).

The finding of the Inspector General is supported both by the chronology of the Castro assassination efforts and the testimony of Harvey. The chronology shows that it was three months prior to the August 10, 1962 meeting that Harvey gave Roselli the poison pills for use against Castro, and that shortly thereafter (and well before August 10, 1962) Harvey was informed that the pills were inside Cuba. (see p. ___ above). Moreover, after the August 10, 1962 meeting there was no Castro assassination activity during the remainder of 1962. (see p. ___ above).

In addition, Harvey (who attended the August 10, 1962 meeting and

recalled that the question of a Castro assassination was raised) declared that the discussion was not related to his assassination activity with Roselli. (Harvey, 7/11, pp. 48-50). Harvey further testified that he did not view the August 10, 1962, discussion of a Castro assassination as authorization for the Roselli operation because "the authority, as I understood it, for this particular operation went back long before the formation" of the Special Group Augmented. (Harvey, 7/11, p. 49).

1. The Contemporaneous Documents

a. Lansdale's August 13, 1962 Memorandum

Following the August 10, 1962 meeting, Lansdale sent a memorandum on August 13, 1962, to Harvey and the other members of Lansdale's interagency working group.*/ (Lansdale Ex. 15, Memorandum from Lansdale, August 13, 1962). The Memorandum began by stating: "In compliance with the desires and guidance expressed in the August 10 policy meeting on Operation Mongoose, we will produce an outline of an alternate Course B for submission." (Lansdale Ex. 15, p. 1).

Lansdale further set out his concept of what was required: "I believe the paper need contain only a statement of objectives and a list of implementing activities. The list of activities will be under the heading of: Intelligence, Political, Economic, Psychological, Paramilitary, and Military." (Lansdale Ex. 15, p. 1).

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* In addition to Harvey, copies of Lansdale's August 13, 1962, memorandum were sent to Robert Hurwitch (State Dept), Gen. Benjamin Harris (Defense Dept) and Don Wilson (U.S. Information Agency). (Lansdale Ex. 15.)

In his testimony, Gen Harris identified a document drafted by the Mongoose Working Group in the Defense Dept shortly before the August 10 meeting. The document listed a number of steps that could be taken in the event of an intensified Mongoose program that might involve U. S. military intervention. One such step was "assassinate Castro and his handful of top men." (Harris Ex. 4.) Gen. Harris stated that this was "not out of the ordinary in terms of contingency planning... it's one of the things you look at. (Harris, p. 37.) There was no evidence that this document was distributed outside the Defense Dept's Mongoose working group.

Lansdale's memorandum then assigned to Harvey papers on the following subjects by the means of the following passage, which contained a deleted phrase:

> "Mr. Harvey: Intelligence, Political, /words deleted/, Economic, (sabotage, limited deception), and Paramilitary." (Lansdale, Ex. 15, p. 1).

According to a memorandum by Harvey to Helms the following day, August 14, 1962, the words deleted from the above-quoted passage were "including liquidation of leaders." (Lansdale Ex. 16, Memorandum by Harvey, August 4, 1962, to Helms).

b. Harvey's August 14, 1962 Memorandum

When Harvey received Lansdale's August 13 memorandum, Harvey wrote a memorandum to Helms attaching a copy of Lansdale's August 13 Memorandum, and noting that Harvey had excised the words "including liquidation of leaders." (Lansdale Ex. 16, Memorandum, August 14, 1962, from Harvey to Helms). Harvey's Memorandum stated:

> "The question of assassination, particularly of Fidel Castro, was brought up by Secretary McNamara at the meeting of the Special Group (Augmented) in Secretary Rusk's office on 10 August. It was the obvious consensus at that meeting, in answer to a comment by Mr. Ed Murrow, that this is not a subject which has been made a matter of official record. I took careful notes on the comments at this meeting on this point, and the Special Group (Augmented) is not expecting any written comments or study on this point. (Lansdale Ex. 16).

Harvey's memorandum further stated that, on receipt of Lansdale's memorandum, Harvey had called Lansdale's office and pointed out "the inadmissibility and stupidity of putting this type of comment in writing in such

a document," and that the CIA "would write no document pertaining to this and would participate in no open meeting discussing it." (Lansdale Ex. 16, p. 1).

c. The Minutes of the August 10, 1962 Meeting

The minutes of the August 10 meeting contain no reference to the subject of a Castro assassination. (Memorandum for Record, Special Group Augmented Meeting, August 10, 1962, by Parrott, hereafter referred to as the "August 10 Minutes"). Parrott, the author of the August 10 Minutes, testified that he did not recall a discussion of assassination at that meeting, but the fact that the minutes do not reflect such a discussion is not an indication that the matter did not come up. (Parrott, p. 34). Parrott pointed out that his minutes "were not intended to be a verbatim transcript of everything that was said," since the purpose of his minutes was "to interpret what the decisions were and to record those and to use them as a useful action document." (Parrott, 34-35). Parrott testified:

> "we had 15 or 16 people (at the August 10, 1962 meeting)...all of them well informed, all of them highly articulate.
>
> This meeting, as I recall, went on for several hours...Now I'm sure that particularly in a group like this that there were a great many proposals made that were just shot down immediately." (Parrott, p. 34-35).

Parrott further testified that he did not record proposals that were quickly rejected at the August 10 meeting. (Parrott, p. 35). Parrott stated that, although he had no recollection of a discussion of Castro's assassination at the August 10 meeting, he would infer from the related

documents (the Lansdale and Harvey Memoranda of August 13 and 14) that the subject was raised but "it never got off the ground....Therefore, I did not record it." (Parrott, p. 35).

The documents and testimony of Parrott suggest several possible inferences with respect to the nature of the discussion of a Castro assassination at the August 10 meeting. First, as indicated by the Lansdale and Harvey memorandum, it is possible that a contingency plan was requested but that it was decided not to make this "a matter of official record." (Lansdale Ex. 16, p. 1). However, if it had been decided to commission a written contingency plan, as Lansdale requested Harvey prepare, it is difficult to see how this request could have been reconciled with a decision to make to written record.

plausible deniability

Second, it is possible that, as Parrott's testimony indicated, the subject was raised but quickly rejected. This inference is apparently consistent with the fact that the subject did not appear in Parrott's minutes, and perhaps, although less so, with Harvey's August 14 Memorandum. Harvey's Memorandum states that the Special Group Augmented "is not expecting any written comments or study on this point." (Lansdale Ex. 16, p. 1).

Before turning to the testimony on these questions, we discuss the context of the August 10 discussion of a Castro assassination as reflected in the minutes of the August 10 Meeting.

d. <u>The August 10 Meeting</u>

The August 10 Meeting was held to decide upon a further course of action to succeed the intelligence collection phase of Mongoose which was scheduled to conclude in August. (McCone, p. 34). As a policy meeting, there were in

attendance a larger number of officials than usually participated in Special Group Augmented meetings. The Meeting was chaired by Secretary of State Rusk (and held in his office), and attended by a total of 15 officials, including the principals of the agencies taking part in Mongoose, i.e., Secretary Rusk, Secretary McNamara, CIA Director McCone, and USIA Director Murrow.

At the August 10 meeting, General Lansdale proposed that a "stepped-up Course B" be adopted for Mongoose, (August 10 Minutes, p. ___). This plan involved operations to "exert all possible diplomatic, economic, psychological, and other overt pressures to overthrow the Castro-Communist regime, without overt employment of U.S. military." (Memorandum for Special Group Augmented, August 8, 1962, p. 1).

However, the Special Group Augmented decided against consideration of the "stepped-up Course B". In the discussion of Lansdale's Course B proposal, Rusk "emphasized the desirability of attempting to create a split between Castro and old-line Communists". (August 10 Minutes, p. 2). In addition, McNamara questioned whether the practice of building up agents in Cuba would not lead to actions that "would hurt the U.S. in the eyes of world opinion". (August 10 Minutes, p. 2) (A remark which seems inconsistent with McNamara at the same Meeting raising the question of assassination in any sense of advocacy). The Minutes state that McNamara's concern "led to the suggestion by General Taylor that we should consider changing the overall objective /of Mongoose/ from one of overthrowing the Castro regime" to one of causing its failure. (August 10 Minutes, p. 2).

DOES IT not appear inconsistent w/ his approval of sabotage etc

this wouldn't hurt us in eyes of world

Hence, in lieu of Lansdale's "stepped-up Course B", the Special Group

Augmented chose a plan advanced by McCone that assumed Castro's continuance in power and had the more limited objective of splitting off Castro from "old-line Communists".* (August 10 Minutes, p. 2). The decision and "action" of the Special Group Augmented at the August 10 meeting was stated as follows:

> "The principal members of the Special Group felt, after some discussion, that the CIA variant should be developed further for consideration at next Thursday's meeting of the Special Group. McCone was asked to stress economic sabotage, and to emphasize measures to foment a Castro-oldline Communist split." (August Memorandum, p. 2).
>
> * * *
>
> "<u>Action to be taken:</u>
>
> CIA to prepare a new version of its variant plan, in accordance with the above-summarized discussion. This should be ready by Wednesday, August 15." (August 10 Memorandum, p. 3).

It was therefore in this context that Lansdale's August 13 Memorandum to Harvey stated that "in compliance with the desires and guidance expressed in the August 10 policies meeting on Operation Mongoose, we will produce an outline of an alternate Course B. "Indeed, pursuant to the August 10 decision to adopt McCone's proposal for a more limited plan that assumed Castro's continuation in power, Lansdale's memorandum stated that a CIA paper titled "Operational Plan (Reduced Effort) will be used as the starting basis." (Lansdale Ex. 15, p. 1).

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*/ The August 10 Minutes show that McCone pointed out that the stepped-up Course B "will risk inviting an uprising, which might result in a Hungary type blood bath if unsupported". (August 10 Minutes, p. 2). McCone "emphasized that the stepped-up plan should not be undertaken unless the U.S. is prepared to accept attributability for the necessary actions, including the eventual use of military force". (August 10 Minutes). The August 10 Minutes further stated that, in McCone's view, the CIA variant "would avoid all of these dangers because it would not invite an uprising". (August 10 Minutes, p. 2).

In view of the issues raised by these documents we took testimony from the principal participants in that meeting. In particular, we discuss below the testimony as to whether Lansdale's request for an assassination plan reflected the desire of the SGA or was contemplated by the SGA's decision to proceed with a plan of "reduced effort" that posited Castro's continuance in power.

2. The Testimony

As set out below, Harvey, McCone, and Goodwin recall the question of a Castro assassination was raised at the August 10 meeting.* We discuss that testimony, first with respect to the August 10 meeting itself, and, second, with regard to the action that followed that meeting.

a. Testimony as to the August 10 Meeting

(1) Testimony of McCone

McCone testified that the question of a "liquidation" or removal of Castro and other Cuban leaders arose at the August 10 meeting in the context of "exploring the alternatives that were available" for the next phase of Mongoose. (McCone, p. 33). McCone testified that he did not recall who made this suggestion, but that he and Mr. Murrow took "strong exception" to the suggestion. A memorandum of McCone's recollection of the August 10 Meeting, written in 1967,**/states:

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*/ Other participants (Rusk, McNamara, Bundy, and Gilpatric) did not recall the August 10 discussion.

**/ On April 14, 1967, after McCone left the CIA, he dictated a memorandum of his recollection regarding the August 10, 1962 meeting. The memorandum was prompted by a telephone call from the newspaper columnist, Jack Anderson, who at that time was preparing a column on Castro assassination (Continued on the following page.)

> "I took immediate exception to this suggestion, stating that the subject was completely out of bounds as far as the USG (U.S. Government) and CIA were concerned and the idea should not be discussed nor should it appear in any papers, as the USG could not consider such actions on moral or ethical grounds." (McCone Ex. 4).

McCone testified that there was no decision at the August 10 meeting that assassination should not be part of any program, but that "the subject was just dropped" after his objection. (McCone, p. ___). McCone's 1967 memorandum stated that

> "At no time did the suggestion receive serious consideration by the Special Group (Augmented) nor by any individual responsible for policy." (McCone, Ex. 4).

(2) <u>Testimony of Harvey</u>

Harvey's testimony that the August 10 discussion was unrelated to any actual Castro assassination activity is discussed above (see p. ___). With respect to that discussion itself, Harvey testified that it was his recollection that the question of a Castro assassination was raised by Secretary McNamara. (Harvey, p. 30). Harvey said it was his impression that McNamara raised the question as one of "shouldn't we consider the elimination or assassination" of Castro. (Harvey, p. 30).

With respect to the reaction of the Special Group Augmented to this

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(Footnote continued from the previous page.)

attempts, implicating President Kennedy and Robert Kennedy. After talking with Anderson on the telephone, at Robert Kennedy's request, McCone dictated the April 14, 1967 memorandum, which stated that at one of several Mongoose meetings on August 8, 9 or 10, 1962, "I recall a suggestion being made to liquidate top people in the Castro regime, including Castro." (McCone, Ex. 4, p. 1).

suggestion, Harvey testified:

> "I think the consensus of the Group was to sweep that particular proposal or suggestion or question or consideration off the record and under the rug as rapidly as possible. There was no extensive discussion of it, no discussion, no back and forth as the whys and wherefores and possibilities and so on."
> (Harvey, p. 30).

(3) Testimony of Goodwin

Goodwin testified that he had a recollection of "limited certainty" that the subject of a Castro assassination was raised at the August 10 meeting.*/

Goodwin testified that "I am unable to say with any certainty who it was" who raised the subject of a Castro assassination at the August 10 meeting. (Goodwin, 7/18, p. 8)**/

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*/ In a staff interview prior to his testimony, Goodwin recalled the date of the meeting at which a Castro assassination was raised as falling in early 1961, after the Bay of Pigs. (Memorandum of Staff Interview with Goodwin, May 27, 1975, p. 2). After reviewing the Minutes of the August 10, 1962 meeting and the Lansdale and Harvey memoranda of August 13 and 14, respectively, Goodwin testified that he had "misplaced the date of the meeting in my own memory." (Goodwin, 7/18, p. 7). In placing the incident on August 10, 1962, Goodwin stated

> "Now, of course, you know, it may not be. That's the best recollection I now have. It's a little better than the earlier one, but it's not certain." (Goodwin, 7/18, p. 8).

**/In a magazine article in June 1975, Goodwin was quoted as stating that at one of the meetings of a White House task force on Cuba it was McNamara who "said that Castro's assassination was the only productive way of dealing with Cuba." (Branch and Crile, "The Kennedy Vendetta," Harpers, July, 1975, p. 61). In his testimony on July 18, 1975, Goodwin stated: "that's not an exact quote" in the article, and explained further: (Footnote continued on following page.)

(4) Testimony of McNamara

McNamara testified that, although he had no recollection of the question of a Castro assassination being raised at the August 10 meeting, he did express opposition to any assassination attempt or plan when he spoke with McCone several days after the August 10 meeting. (McNamara, p. 7,8). McNamara's testimony with respect to his conversation with McCone is discussed below with the testimony as to actions after the August 10 meeting.

b. Testimony as to Actions After the August 10, 1962 Meeting

(1) Testimony of McCone

McCone testified that he called McNamara after he received Lansdale's August 13 Memorandum and,

> "insisted that that Memorandum be withdrawn because no decision was made on this subject, and since no decision was made, then Lansdale was quite out of order in tasking the Central Intelligence Agency to consider the matter."*/

(Footnote continued from the previous page.)

> "I didn't tell (the author of the magazine article) that it was definitely McNamara, that very possibly it was McNamara. He asked me about McNamara's role, and I said it very well could have been McNamara." (Goodwin, 7/18, p. 33).

If Goodwin's recollection was as uncertain as he swore it was in his testimony, it is difficult to understand how he could have spoken in the terms he testified he did to the author of the magazine article, particularly in view of Goodwin's statement that "it's not a light matter to perhaps destroy a man's career on the basis of a fifteen year old memory of a single sentence that he might have said at a meeting without substantial certainty in your own mind /and/ I do not have that." (Goodwin, pp. 34-35).

*/ McCone's 1967 Memorandum stated:

> "Immediately after the meeting, I called on Secretary McNamara personally and re-emphasized my position, in which he heartily agreed. I did this because Operation Mongoose--an interdepartmental affair--was under the operational control of (the Defense Department)...(McCone Ex. 4).

McCone also testified that McNamara agreed that the Lansdale Memorandum should be withdrawn for the same reason expressed by McCone, i.e. because the topic of a Castro assassination had not been given consideration by the Special Group Augmented. (McCone, p. 39).

(2) Testimony of Harvey

As discussed above (see p. ___) Harvey's Memorandum of August 14, 1962 states that upon receiving Lansdale's August 13 Memorandum, Harvey demanded that Lansdale excise the words referring to "liquidation of leaders." Harvey's Memorandum further stated that "the Special Group (Augmented) is not expecting any written comments or study on this point." This latter passage raises the issue whether Harvey meant to state that the Special Group Augmented authorized a Castro assassination plan or activity but that no written record should be made. In his testimony, Harvey clarified this point by stating that the Special Group did not express a desire to proceed with the suggestion of a Castro assassination:

> "Senator Schweiker:...was it understood in an unwritten way that (assassination) was to proceed?"
>
> "Mr. Harvey: Not to my knowledge, no.... If there was any unwritten understanding on the part of the members of the Special Group concerning this, other than what was said at the meeting, I do not know of it..." (Harvey, pp. 30-31).

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Harvey further testified that shortly after the August 10 meeting, McCone told Harvey that he had called McNamara to state that assassiantion should not be discussed and that he had told McNamara that if he was involved in such matters, he might be excommunicated from his church. (Harvey, p. 25).

did Harvey feel - about relat w/ later attempts

(3) Testimony of McNamara

McNamara testified that he did not recall any discussion of a Castro assassination at the August 10 meeting, but that he did express opposition to any assasssination attempt when McCone telephone him after Lansdale's August 13 memorandum was brought to McCone's attention. (McNamara, P. 7,8). McNamara stated that

> "I agreed with Mr. McCone that no such planning should be undertaken." (McNamara, p. 8).

McNamara stated further that

> "I have no knowledge or information about any other plans or preparations for a Castro assassination." (McNamara, p. 7).

(4) Testimony of Elder

Elder, a career CIA officer, served as McCone's Executive Assistant from May 1962 until McCone's departure from the Agency in April 1965. Elder testified that he was present when McCone telephone McNamara after the August 10 meeting. Elder stated that McCone told McNamara

> "the subject you just brought up, I think it is highly improper. I do not think it should be discussed. It is not an action that should ever be condoned. It is not proper for us to discuss, and I intend to have it expunged from the record." (Elder, p. 23).

Elder testified that this was the essence of the conversation but that he remembered "several exact phrases, like 'would not be condoned' and 'improper'". (Elder, pp. 23, 24).*/

*/ Elder, who stated he heard both McCone and McNamara's pact of the telephone conversation via a speaker phone, said that McNamara "just more or less accepted what Mr. McCone said without comment or rejoinder." (Elder, p. 24).

When Harvey later received Lansdale's August 13 memorandum, McCone spoke to Harvey in Elder's presence, and "McCone made his views quite clear in the same language and tone...that he used with Mr. McNamara." (Elder, p. 25). Elder testified that Harvey did not tell McCone that Harvey was engage in the Castro assassination effort at that time. (Elder, p. 25).

Elder also described a meeting he had with Helms in Elder's office shortly after the August 10 meeting to convey to Helms McCone's views regarding the subject of assassinations. Elder stated:

> "I told Mr. Helms that Mr. McCone had expressed his feeling to Mr. McNamara and Mr. Harvey that assassination could not be condoned and would not be approved. Furthermore, I conveyed Mr. McCone's statement that it would be unthinkable to record in writing any consideration of assassination because it left the impression that the subject had received serious consideration by governmental policymakers, which it had not. Mr. Helms responded, 'I understand.' The point is that I made Mr. Helms aware of the strength of Mr. McCone's opposition to assasination. I know that Mr. Helms could not have been under any misapprehension about Mr. McCone's feelings after this conversation." (Elder Affidavit, 8/__/75, p. ___).

(5) <u>Testimony of Lansdale</u>

Lansdale testified that he recalled that the subject of Castro's assassination surfaced at the August 10 meeting, but that the "consensus was ...hell no on this and there was a very violent reaction." (Lansdale, p. 20). With respect to why he asked Harvey on August 13 for a Castro assasination plan, Lansdale testified:

inconsistent w/ explanation / 15 minutes would have reflected

> "Senator Baker: Why did you, three days later if they all said, hell no, /go/ ahead with it?"

"General Lansdale:...the meeting at which they said that was still on a development of my original task, which was a revolt and an overthrow of a regime. At the same time, we were getting intelligence accumulating very quickly of something very different taking place in Cuba than we had expected, which was the Soviet technicians starting to come in and the possibilities of Soviet missiles being placed there... At that time, I thought it would be a possibility someplace down the road in which there would be some possible need to take action such as /assassination/."*/ (Lansdale, p. 21).

Lansdale stated that he had only one brief conversation with Harvey after the August 13 memorandum in which Harvey stated "he would look into it... see about developing some plans" but that was the last Lansdale ever heard of the matter. (Lansdale, p. 124). Lansdale stated that with the development of the Missile Crisis, Mongoose "was being rapidly shifted out of consideration" and thus "I wasn't pressing for answers... it was very obvious that another situation was developing that would be handled quite differently in Cuba." (Lansdale, P. 124).

Lansdale testified that he was "very certain" that a discussion of a Castro assassination plan or proposal never came up in his discussions with Robert Kennedy or with President Kennedy, and that he had originated the request to Harvey for plan without discussing the matter with anyone:

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"Q:...Why, if it is true that assassination idea was turned down on August 10, you sent out your memo of August 13?"

"General Lansdale:...I don't recall that thoroughly, I don't remember the reasons why I would."

"Q: Is it your testimony that the August 10 meeting turned down assassinations as a subject to look into, and that you nevertheless asked Mr. Harvey to look into it?"

"General Lansdale: I guess it is, yes. The way you put it to me now has me baffled about why I did it. I don't know." (Lansdale, pp. 123-124.

"Senator Baker:...did you originate this idea of laying on the CIA a requirement to report on the feasibility of the assassination of Castro or did someone else suggest that?"

"General Lansdale: I did, as far as I recall."

"Senator Baker: Who did you discuss it with before you laid on that requirement?"

"General Lansdale: I don't believe I discussed it with anyone."

"Senator Baker: Only with Harvey?"

"General Lansdale: Only with Harvey."

"Senator Baker: Did you ever discuss it with Helms?"

"General Lansdale: I might have, and I don't believe that I did. I think it was just with Harvey."

"Senator Baker: Did you ever discuss it with Robert Kennedy?"

"General Lansdale: No, not that I recall."

"Senator Baker: With the President?"

"General Lansdale: No."
(Lansdale, pp. 19-20).

c. Testimony of News Reporters as to Lansdale's Comments on the August 10 Meeting

During the Committee's investigation, news reports concerning the August 10 meeting and Lansdale's request for a Castro assassination plan appeared in the press. Two of these reports were based on statements made by Lansdale to David Martin of the Associated Press and Jeremiah O'Leary of the Washington Star-News. In view of the apparent conflict between Lansdale's testimony to the Committee and what Lansdale was reported to have said to Martin and O'Leary, the Committee invited these reporters to testify as to Lansdale's statements to them. Martin testified under a subpoena issued by the Committee pursuant to Senate Resolution 21. O'Leary appeared voluntarily but stated the policy of his newspaper with regard to disclosing news sources precluded him from any comment going beyond that contained in a prepared statement he read under oath. O'Leary's statement declared that his news report "represents accurately my understanding of the relevant information I obtained from news sources." (O'Leary, page 5).

We discuss below Martin's testimony and the news reports as they compare to Lansdale's testimony.

(1) The Martin News Report

Martin's news report stated, in its lead paragraph:

> "Retired Maj. Gen. Edward G. Lansdale said Friday that acting on orders from President John F. Kennedy delivered through an intermediary, he developed plans for removing Cuban Premier Fidel Castro by any means including assassination." (Ex. 2 to Martin Affidavit)

Martin testified that this lead paragraph was accurate and that it was a conclusion which he drew based upon the totality of his interview on May 30, 1975 with Lansdale. (Martin, pp. 19-20) In contrast, Lansdale

testified that, after reading Martin's report in the press, he told Martin "your first sentence is not only completely untrue, but there is not a single thing in your story that says it is true." (Lansdale, p. 65) As discussed above (see p. __), Lansdale testified that on his own initiative he had originated the request to Harvey without discussing the matter with anyone and that a Castro assassination plan never came up in his discussions with Robert Kennedy (or with President Kennedy).

In view of Martin's testimony that the lead paragraph of his report was a conclusion based on the totality of his interview with Lansdale, it should be noted that the remainder of Martin's story does not state that Lansdale was ordered by President Kennedy or Robert Kennedy to develop plans for a Castro assassination. The report quotes Lansdale as stating "I was working for the highest authority in the land...the President" and goes on to state that Lansdale said he did not deal directly with the President but "worked through" an intermediary more intimate to the President than Bundy.*/ It can be noted that the phrases "working for" and "working through" are not the same as the lead paragraph's conclusion that Lansdale was "acting on orders" to develop a Castro assassination plan.

In addition, subsequent paragraphs in the Martin report indicate that Lansdale said the decision to include assassination in his planning was Lansdale's own, as he testified it was to the Committee. Thus, the Martin report states Lansdale said that assassination was "one of the means he /Lansdale/ considered," that it was Lansdale's belief that assassination would not have been "incompatible" with his assignment, and that Lansdale said "I just wanted to see if the U.S. had any such capabilities."

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*/ The Martin report states that Lansdale refused to provide this intermediary's name for the record. In respecting the confidentiality of news sources, the Committee did not seek to ask Martin what was said off the record to him in the course of his newsgathering efforts. (Martin, p. ____).

Moreover, in his testimony as to the conversation with Lansdale on May 30, 1975 that was the basis for his report, Martin said he did not specifically ask Lansdale if he had acted on orders with regard to an assassination plan, nor did Lansdale say he acted on orders. Rather, Martin asked Lansdale "who were you working for?"*/ When Martin did specifically ask Lansdale in a subsequent conversation on June 4, 1975 if he had acted on orders, Martin testified that Lansdale stated that he had not. In this subsequent conversation on June 4, 1975, Martin said he asked Lansdale specifically, "were you ever ordered by President Kennedy or any other Kennedy to draw up plans to assassinate Castro?" (Martin, p. 21). Martin testified that Lansdale replied "no" and that his orders were "very broad." (Martin, p. 21). Martin further testified that in this June 4 conversation he asked Lansdale whether "any assassination planning you did was done on your own initiative," and that Lansdale replied "yes." (Martin, p. 21). Martin stated that it was his belief that his June 4 conversation was at variance with Lansdale's statements to him on May 30, 1975. (Martin, p. 21). It may also be the case, based on Martin's testimony as to the differences between the questions he posed to Lansdale on May 30 and on June 4, 1975, that he and Lansdale may have misunderstood each other.

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*/ Martin testified that his conversation with Lansdale on May 30, 1975 involved two subjects: 1) "what were you (Lansdale) doing in August 1962" (Martin, p. 16), and 2) "who were you working for." (Martin, p. 17). Martin stated that in the first portion of the conversation dealing with Lansdale's activities in August 1962, Lansdale stated, according to Martin, "I just wanted to see if the U.S. had any such capabilities" and that this included "assassination" as well as other means of disposing of Castro. As to the second portion of the conversation, Martin stated he asked Lansdale "who were you working for" and Lansdale replied "on that project I was working for the highest authority in the land." (Martin, p. 18).

(2) The O'Leary Report

O'Leary's news report read as follows in its lead paragraphs:

> "Retired Maj. Gen. Edward G. Lansdale has named Robert F. Kennedy as the administration official who ordered him in 1962 to launch a CIA project to work out all feasible plans for "getting rid of" Cuban Prime Minister Fidel Castro.
>
> "Lansdale, in an interview with the Washington Star, never used the word "assassination" and said it was not used by Kennedy, then the attorney general.
>
> But he said there could be no doubt that "the project for disposing of Castro envisioned the whole spectrum of plans from overthrowing the Cuban leader to assassinating him."

O'Leary's report also stated that "Lansdale said he was contacted by Robert Kennedy in mid-summer of 1962...." In his appearance before the Committee, O'Leary pointed out that this reference to the mid-summer of 1962 modified the reference in the lead paragraph of his report. (O'Leary, p. 13).

In his testimony, Lansdale said he submitted a statement to the Washington Star stating that this report was "a distortion of my remarks." (Lansdale, p.61). Lansdale testified that he stated to the Washington Star that "perhaps someplace in the planning there is something about what to do with a leader who would threaten the

lives of millions of Americans /with Soviet Missiles/...but I can say I never did receive any order from President Kennedy or from Robert Kennedy about taking action against Castro personally." (Lansdale, pp.61-62). Lansdale further testified that he told O'Leary that he did take orders from Robert Kennedy, but made clear that "it was on a very wide-ranging type of thing." (Lansdale, p.62). Lansdale testified as follows concerning his statement to the Star following the O'Leary report:

> "After the story appeared, the... Washington Star asked me what wide-ranging things were you talking about?
>
> "I said there were economic matters and military matters and military things and they were very wide-ranging things. I said perhaps all O'Leary was thinking of was assassination. I was thinking of far wider than that." (Lansdale, pp.62-63)

O'Leary's report makes clear that Lansdale did not state that Robert Kennedy instructed Lansdale to develop an assassination plan. The O'Leary report states:

> "Lansdale said he is certain Robert Kennedy's instructions to him did not include the word "assassination." He said the attorney general, as best he could recall, spoke in more general terms of exploring all feasible means and practicalities of doing something "to get rid of" Castro.

In view of the above, it appears that although he may have been imprecise in his conversations with O'Leary and Martin, Lansdale nevertheless did not tell them that he was ordered to develop an assassination plan by Robert Kennedy or the President. As discussed above (see p. ____), Lansdale testified that he never discussed a Castro assassination with President Kennedy or with Robert Kennedy. Lansdale's reported statements that he was ordered to plan to "get rid of Castro by all feasible means" is also consistent with Lansdale's testimony, as well as that of the other witnesses, with respect to the objective of the Mongoose operation. As

discussed above in section ______, however, it was the testimony of all witnesses except Helms that such statements did not include assassination. Lansdale's statements to O'Leary and Martin appear consistent with his sworn testimony that it was his own idea to request an assassination plan from Harvey and that he did not discuss this idea with anyone except Harvey. (see p. ____above). With respect to this latter point, however, it is a fact that Lansdale's request for an assassination plan followed almost immediately after the August 10 meeting, where the question of a Castro assassination was raised. Hence, it is not unreasonable to conclude that the raising of the question of a Castro assassination at the August 10 meeting prompted Lansdale to request an assassination plan (although it was the finding of the IG Report as well as the testimony of Harvey that the August 10 meeting had no relation to the question of authorization for the 1962 assassination plot).

(Material in brackets on p. 1 and p. 2 added to incorporate Helms testimony on 9/12/75) R1080

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H. The Question of Authorization for the 1963 Assassination Plot

1. The 1963 Assassination Plot

This section discusses the specific question of authorization above the Agency for the delivery of the poison pen to AM/LASH on November 22, 1963, and reviews certain policies of the Kennedy Administration during 1963 which are relevant to that question.*/ (The facts relating to the poison pen plot are set out at pp. ___ above).

2. The Issue of Authority

Much of the testimony of Helms and the Kennedy Administration members discussed in the preceding section (see pp. ___ to ___) is relevant to the question of authorization for the 1963 assassination activity. Once again there was no evidence that anyone above the Agency was informed about or specifically authorized the plot.

As in the case of the 1962 assassination plot, however, Helms testified that he believed the 1963 assassination activity was permissible in view of his perception of continuing pressure exerted by the Administration to overthrow Castro /and his perception that there were no limits placed on the means that could be used to achieve Castro's downfall. (Helms, 9/11/75, pp. 11-13)./

The testimony of Helms and the Kennedy Administration members on the issue of whether the pressure to overthrow Castro made assassination permissible without a direct order is discussed in detail in the preceding section and is not repeated here. Before turning to Helms' specific testimony relating to AM/LASH (including his view that AM/LAsh was not seen as a potential assassin) we discuss below the Kennedy Administration Cuba policy in 1963. In

*/The evidence showed that the "science-fiction" devices of an exploding sea shell and a poison diving suit were abandoned at the laboratory stage within the CIA and that no authorization was sought for their development or eventual use. Hence, the focus in this section is on the activity involving the delivery of the poison pen to AM/LASH.

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general, the 1963 covert action program and pressure was less intense than it had been in 1962.

3. <u>The Kennedy Administration's Policy Towards Cuba in 1963</u>

(a) <u>Organization</u>

The Mongoose Operation was disbanded following the Cuban Missile Crisis. An interagency "Cuban Coordinating Committee" was established within the State Department with responsibility for developing covert action proposals. (Bundy, 7/11/75, p. 148.) The review and approval function was taken from the Special Group Augmented (which passed out of existence) and was placed under the Special Group, chaired by Bundy. (Bundy, 7/11/75, p. 148.)

U.S. policy towards Cuba in 1963 was also treated in the National Security Council's Standing Group, the successor to the Executive Committee which had dealt with the Missile Crisis. Members of the Standing Group included Robert Kennedy, McNamara, McCone, Bundy and Sorensen.

We discuss below four aspects of the Kennedy Administration's 1963 Cuba policy. These are: (1) the Standing Group's discussion of possible developments in the event of Castro's death; (2) the Standing Group's discussion of policy options; (3) the covert action program approved by the Special Group; and (4) the diplomatic effort to explore the possibility of reestablishing relations with Castro. The first three of these took place in the Spring or early Summer of 1963; the fourth aspect -- the effort to communicate with Castro -- took place at the same time as the 1963 assassination activity.

(b) The Discussion of the Contingency of Castro's Death

In the Spring of 1963, the Standing Group discussed contingency planning in the event of Castro's death. The documentary evidence and testimony indicated that Castro's death was discussed as a contingency which might occur independent of U.S. action. The Group found that the possibilities for favorable developments to the United States should Castro die were "singularly unpromising". (Summary Record of Standing Group Meeting, May 28, 1963, p. 1).

The discussion stemmed from a memorandum by Bundy which discussed "possible new directions" for U.S. Cuban policy. (Bundy Memorandum to the Standing Group, April 21, 1963). The memorandum distinguished between (i) events which might occur independently of U.S. action and (ii) steps the U.S. might "initiate". (Bundy memorandum, p. 2.)

When the Standing Group discussed the Bundy memorandum, Robert Kennedy proposed a study of the "measures we would take following contingencies such as the death of Castro or the shooting down of a U-2." (Bundy Ex. 6E, Summary Record of NSC Standing Group Meeting, April 23, 1963, p. 2). The downing of a U-2 had been listed in the Bundy memorandum as a subject for contingency planning under the category of steps for which the U.S. must "await events" as distinguished from "initiate actions".

Bundy's follow-up memorandum, an agenda for a further Standing Group discussion of Cuban policy, listed the subject of a

Castro death contingency under a category comprising subjects not involving U.S. initiatives, e.g., "occurrence of revolt or repression in the manner of Hungary", attributable interference by Castro in other countries", and "the reintroduction of offensive weapons". (Bundy Ex. 6-G, 4/29/63).

After the meeting of April 23, 1963, the Standing Group assigned to CIA's Office of National Estimates*/ the task of estimating possible developments if Castro should die. (Bundy Ex. 6-H, Memorandum for Members of the Standing Group, May 2, 1963).

The resulting paper analyzed the various forces which would come into play in Cuba after Castro's death, including the likely behavior of Castro's top aides, Raul Castro and Che Guevara, as well as possible Soviet reaction. (Bundy Ex. 6-I, Draft Memorandum by Office of National Estimates titled "Developments in Cuba and Possible U.S. Actions in the Event of Castro's Death", pp. 2-5, hereafter called the "ONE paper"). The ONE Paper concluded that "the odds are that upon Castro's death, his brother Raul or some other figure in the regime would, with Soviet backing and help, take over control".**/

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*/The Office of National Estimates is the research division of the CIA responsible for analyzing foreign intelligence. The Office is not part of the CIA's covert operations organization.

**/The ONE Paper also saw little chance that a government disposed towards the United States would be able to come to power without extensive U.S. military support: "Anti-Moscow Cuban nationalists would require extensive U.S. help in order to win, and probably U.S. military intervention." (Bundy Ex. 6-I, p. ii).

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In addition, the ONE Paper warned that the United States would most likely be blamed if Castro should die by another's hand. "If Castro were to die by other than natural causes the U.S. would be widely charged with complicity, even though it is widely known that Castro has many enemies". (Bundy Ex. 6-I, p. 4.)

The ONE Paper also identified a number of possible U.S. actions in the event of Castro's death, ranging along a spectrum that included no U.S. initiatives, action to support a government in exile, quarantine and blockade, and outright invasion. (Bundy Ex. 6-I, pp. 7-12.)

On May 28, 1963, the Standing Group discussed the ONE Paper. The Standing Group found that "all of the courses of action [open to the U.S. should Castro die] were singularly unpromising". (Summary Record of NSC Standing Group Meeting No. 7/63, May 28, 1963, p. 1).

Bundy agreed that the Standing Group "certainly posed the question" in the Spring of 1963 as to what would happen if Castro died or were killed. (Bundy, 7/11/75, p. 130.) But he testified that he had no recollection of a Castro assassination being on the minds of Standing Group members when they discussed this contingency. (Bundy, 7/11/75, p. 14.)*/

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*/As indicated above p.), Bundy did recall that over the period 1961 and 1963 "the subject of a Castro assassination was mentioned from time to time by different individuals", but said that he was not aware of "much discussion in the Spring of 1963 on that subject". (Bundy, 7/11/75, p. 140.)

Bundy testified, however, that one reason for getting an estimate of this kind was to get it on record that we should not be "fussing" with questions of assassination and that it was not a sound policy. (Bundy, 7/11/75, p. 142.)

Bundy further testified that it was not unusual to assess the implications of a foreign leader's possible death, giving the cases of Stalin and DeGaulle as examples. In the case of Castro, Bundy said he felt it was only prudent to attempt to assess the question of a post-Castro Cuba since Castro was such a "dominant figure". (Bundy, 7/11/75, p. 145.)

(c) The Standing Group's Discussion of U.S. Policy Towards Cuba

The Standing Group's documents indicate it continued to assume the desirability of harassment, but recognized there were few practical measures the U.S. could take that were likely to achieve Castro's overthrow.

In his April 21, 1963 memorandum on "Cuban Alternatives" Bundy identified three possible new alternatives: (1) forcing "a non-Communist solution in Cuba by all necessary means", (2) insisting on "major but limited ends", or (3) moving "in the direction of a gradual development of some form of accommodation with Castro". (Bundy Memorandum to the Standing Group, April 21, 1963, p. 3.) These alternatives were discussed at Standing Group meetings on April 23 and May 28, 1963.

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Sorensen, who participated in these meetings, testified that the "widest possible range of alternatives" were discussed, but that "assassination was not even on the list". (Sorensen, 7/21/75, p. 4.) He said that consideration of possible options such as forcing "a non-Communist solution in Cuba by all necessary means" did not encompass assassination:

> "[this] could not have included or implied assassination. Instead, it expressly referred to 'the development of pressures' and 'gradual escalation of the confrontation in Cuba' to produce an overthrow of the regime, including 'a willingness to use military force to invade Cuba'. Such a course was obviously not adopted by the President, and in any event expressed an approach far different from assassination". (Sorensen affidavit, 7/25/75, p. 4).*/

The record of the first Standing Group discussion of Bundy's memorandum shows that a number of alternatives were discussed (none of which involved assassination) but no conclusions were reached.

On May 28, 1963, the Standing Group met again. McCone argued for steps to "increase economic hardship" in Cuba, supplemented by sabotage to "create a situation in Cuba in which it would be possible to subvert military leaders to the point of their acting

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*/ The Bundy memorandum also used the phrase "all necessary measures" to describe the steps the U.S. was willing to take to "prevent" a direct military threat to the U.S. or to the Western Hemisphere from Cuba. Sorensen explained the meaning of this phrase in the context of the April 23 discussion of Kennedy Administration policy.

> "[this phrase] could not by any stretch of semantics or logic have included assassination or any other initiative. It reflected the purely defensive posture implemented six months earlier when long-range missiles and other offensive weapons were placed in Cuba." (Sorensen affidavit, 7/25/75, p. 4.)

to overthrow Castro". (Summary Record of NSC Standing Group Meeting No. 7/63, May 28, 1963, p. 1.) McNamara said that sabotage would not be "conclusive" and suggested study of "economic pressures which could upset Castro." Robert Kennedy said "the U.S. must do something against Castro, even though we do not believe our actions would bring him down". (Id., p. 2) In conclusion, Bundy summarized by stating that the task was "to decide now what actions we would take against Castro, acknowledging that the measures practical for us to take will not result in his overthrow". (Id., p. 2.)

(d) The Special Group's Authorization of a Sabotage Program Against Cuba

During the first six months of 1963, little, if any, sabotage activity against Cuba was undertaken.*/ However, on June 19, 1963, following the Standing Group's discussion of Cuba policy in the Spring, President Kennedy approved a Cuba sabotage program.**/ (Memorandum for the Special Group, 6/19/63, p. 1.)

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*/ At an April 3, 1963 meeting on Cuba, Bundy stated that no sabotage operations were then underway because the Special Group "had decided . . . that such activity is not worth the effort expended on it." (Memorandum of Meeting on Cuba, 4/3/63, p. 1).

**/ The sabotage program approved on June 19, 1963 was directed at "four major segments of the Cuban economy", (1) electric power; (2) petroleum refineries and storage facilities; (3) railroad and highway transportation and (4) production and manufacturing. (Memorandum for the Special Group, June 19, 1963, p. 1) Operations under this program were to be conducted by CIA-controlled Cuban agents from a U.S. island off Florida and it was to complement a similar effort designed to "develop internal resistance elements which could carry out sabotage." (Id., p. 2.)

In contrast to the Mongoose program, which sought to build toward an eventual internal revolt, the 1963 covert action program had a more limited objective, i.e., "to nourish a spirit of resistance and disaffection which could lead to significant defections and other byproducts of unrest". (Id., p. 2.)

After the initial approval, particular intelligence and sabotage operations were submitted to the Special Group for specific prior authorization. On October 3, 1963, the Special Group approved nine operations in Cuba, including several sabotage operations. And on October 24, 1963, thirteen major sabotage operations were approved to be undertaken in the period November 1963 through January 1964, including the sabotage of an electric power plant, an oil refinery, and a sugar mill. (Memorandum, July 11, 1975, CIA Review Staff to Select Committee, on "Approved CIA Covert Operations into Cuba.").

(e) The Diplomatic Effort to Explore an Accommodation With Castro

As early as January 4, 1963, Bundy proposed to President Kennedy that the possibility of communicating with Castro be explored. (Bundy Ex. 6, Memorandum to the President, January 4, 1963, p. 3.) Bundy's memorandum on "Cuba Alternatives" to the Standing Group on April 23, 1963, also listed the "gradual development of some form of accommodation with Castro" among policy alternatives. (Bundy memorandum, p. 3).

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And, at a meeting on June 3, 1963, the Special Group agreed it would be a "useful endeavor" to explore "various possibilities of establishing channels of communication to Castro". (Memorandum of Special Group meeting, June 6, 1963, p. 2).

In the Fall of 1963, William Atwood was a Special Advisor to the U.S. Delegation to the United Nations with the rank of Ambassador. (Atwood, 7/10/75, p. 3.) Atwood testified that during the period of September-November, 1963, he held a series of talks with the Cuban Ambassador to the United Nations to discuss opening negotiations on an accommodation between Castro and the United States. (Atwood, pp. 5-9.)

Atwood testified that at the outset he informed Robert Kennedy, who told him that the effort "was worth pursuing".(Atwood,p.6). Atwood said he regularly reported on the talks to the White House and to his superior at the United Nations, Adlai Stevenson. (Atwood pp. 6-7.) Atwood further stated that he was told by Bundy that President Kennedy was in favor of "pushing towards an opening toward Cuba" to take Castro "out of the Soviet fold and perhaps wiping out the Bay of Pigs and maybe getting back into normal". (Atwood, p.7-8 .)

Atwood stated that he believed the only people who knew of his contacts with the Cubans were the President, Harriman, Stevenson, Robert Kennedy, Bundy, Bundy's assistant, and journalist Lisa Howard. (Howard had initially placed Atwood in contact with the Cuban Ambassador after reporting to Atwood that during a trip to Cuba she had learned Castro was anxious to establish

communications with the United States. Thereafter Howard served as an intermediary in arranging Atwood's meetings with the Cubans. (Atwood, pp. 4, 18)).

Atwood also testified that he arranged for a French journalist, Jean Daniel, to visit the White House prior to Daniel's scheduled trip to see Castro. (Atwood, p. 19.) (According to an article by Daniel in December, 1963, Daniel met with President Kennedy on October 24, 1963. They discussed the prospects for reestablishing U.S.-Cuba relations and President Kennedy asked Daniel to report back to him after seeing Castro.)*/

Atwood's efforts reached their high point on November 18, 1963, when Atwood spoke by telephone with a member of Castro's staff in Cuba. (Atwood, p. 8). Pursuant to White House instructions, Atwood informed Castro's staff member that the U.S. favored preliminary negotiations at the U.N. (rather than in Cuba as proposed by the Cubans), and that the U.S. desired to work out an agenda for these talks. (Atwood, pp. 8-9). After receiving Atwood's report on this conversation, Bundy told Atwood that after the Cuban agenda was received, President Kennedy wanted to see Atwood to "decide what to say and

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*/ Daniel, Unofficial Envoy: A Historic Report from Two Capitals, (New Republic, December 14, 1963). Daniel was with Castro when Castro received the report of President Kennedy's assassination. Daniel, When Castro Heard the News, (New Republic, December 7, 1963).

whether to go or what we should do next". (Id., p. 9.) Four days later, on November 22, 1963, (the same day AM/LASH was given the poison pen), Jean Daniel was meeting with Castro. On that same day, President Kennedy was assassinated. With the change of Administrations, Atwood's talks with the Cubans became less frequent and eventually ended in early 1964. (Atwood, p. 10.)

4. Testimony on the Question of Authorization for the AM/LASH Poison Pen Device

(a) Testimony of Helms

(i) The October 29 Meeting and the Use of Robert Kennedy's Name Without Obtaining His Approval

As discussed above in detail (see pp.), Fitzgerald met with AM/LASH on October 29, 1963, in a foreign capital. Fitzgerald represented to AM/LASH that he was the personal representative of Robert Kennedy, and gave AM/LASH assurances of full support should AM/LASH succeed in overthrowing Castro.

The IG Report states that, according to Fitzgerald, Helms and Fitzgerald discussed the planned meeting with AM/LASH and Helms decided "it was not necessary to seek approval from Robert Kennedy for Fitzgerald to speak in his name". (IG, pp. 88-89). In his testimony, Helms stated he did not recall such a discussion with Fitzgerald, but that he believed he had pre-existing authority to deal with AM/LASH with respect to "a change in government" (as opposed to assassination) and that this made it unnecessary to obtain Robert Kennedy's approval.*/ "I felt so sure that if I went to see Mr. Kennedy that he would have

*/The following exchange occurred in Helms' testimony:

"Sen. Hart of Michigan: Dealing with respect to what? A change in government, or assassination?"
Mr. Helms: A change in government, Senator Hart. This is what we were trying to do. (Helms, 6/13/75, p. 132)

said yes, that I didn't think there was any need to." (Helms, 6/13/75, p. 132.)

Helms said his view was that AM/LASH was a political action agent, not a potential assassin, and that the meeting with AM/LASH and his decision not to contact Robert Kennedy should be viewed in that light:

> "...given this Cuban of his standing and all the history...of trying to find someone inside Cuba who might head a government and have a group to replace Castro...this was so central to the whole theme of everything we had been trying to do, that I find it totally unnecessary to ask Robert Kennedy at that point (whether) we should go ahead with this. This is obviously what he had been pushing, what everybody had been pushing for us to try to do...let's get on with doing it." (Helms, 6/13/75, pp. 117-118),*/

(ii) The Delivery of the Poison Pen on November 22

While Helms stated that the delivery of a poison pen to AM/LASH was not part of an assassination plot, Helms testified

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*/As discussed above (see pp. ___), there was conflicting testimony from CIA officers as to whether they viewed AM/LASH as an assassin and as to the purpose of giving him the poison pen. The documentary evidence, however, indicates that AM/LASH in 1963 was intent upon assassinating Castro, that the CIA officers knew of this, and, in addition to offering a poison pen, told AM/LASH they would supply him with high powered rifles with telescopic sights. (see p. ___, above).

Helms testified that because Amlash 'was the asset we were looking for, (w)e didn't want him to blow himself or blow anything else by getting involved in something like this [assassination] and have it fail. We wanted him to stay in place." (Helms, 6/13/75, p. 131). Helms stated that "at no time was it the idea of [the AM/LASH-1] case officers, or those people in the chain behind, to use [AM/LASH-1] to assassinate Castro." (Helms, 6/13/75, p. 135).

Helms further stated "...there was an enormous amount of temporizing with this fellow to keep him on the team, to keep him working away at this job, but to try and persuade him that this was not the way to go about it." (Helms, 6/13/75, p. 135). Helms testified that AM/LASH-1 was given the poison pen "because he was insisting on something and this was a temporizing gesture rather than giving him some kind of a gun he had asked for...." (Helms, 6/13, p. 135)

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that he believed Castro's assassination was within the scope of the CIA's authority. /(Helms, 9/12/75, pp. 11-12)./ As in the case of the 1962 plots, Helms based this on the vigor of the Administration's policy towards Cuba /and his perception that there were no limits put on the means that could be used in the effort against Castro. (Helms, 9/12/75, pp. 11-12). Thus,/ Helms testified that after the missile crisis the U.S. continued to conduct covert actions whose purpose was "to overthrow Castro." (Helms, 6/13/75, p. 24.) /Helms was asked whether it was his opinion that the offer of the poison pen to AM/LASH was authorized because it came within the scope of the 1963 program against Castro. Helms responded:

> /"I think the only way I know how to answer that is that I do not recall when things got cranked up in 1963 any dramatic changes or limitations being put on this operation. There was still an effort by whatever device, and perhaps only slightly differently oriented at this time, to try to get rid of Castro...But I do not recall specific things being said, now, (we are not) going to do this, we're not going to do that, and we're not going to do the other thing, and we will do just these things."/

(b) Testimony of Administration Officials

As with the Mongoose period, the Administration officials agreed that they were not informed about any assassination plot and that there was no order that Castro be assassinated. Again, they disagreed with Helms' position that an assassination plot could be undertaken without express authority. The only added part relating to the AM/LASH plot was certain testimony which asserted that it was inconceivable that the President would have approved an assassination plot at the very same time he had authorized talks to explore the possibility of improved relations with Castro.*/

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*/Rusk testified that "I find it extraordinarily difficult to believe" and that "I just can't conceive" President Kennedy would have authorized the passage of an assassination device for use against Castro while Atwood was exploring the possibility

Since Helms did not claim any higher specific authorization for or knowledge of the AM/LASH assassination plot, however, the additional issue posed by that testimony does not really arise.

(continued)

of normalizing relations with Castro. (Rusk, 7/10/75, p. 85). Similarly, Bundy testified he "absolutely" did not believe President Kennedy would have authorized or permitted an assassination device to have been passed at the same time a possible rapprochment with Castro was being pursued. (Bundy, 7/11/75, p. 151).

On the other hand, when the possibility of exploring better relations with Castro was initially raised (but before any talks were begun) Bundy indicated that it could be explored on a "separate track" while other proposed actions, such as sabotage, were going on. (Agenda for Special Group meeting of 4/29/63, p. 2.)

d. The Question of Authorization in the Johnson Administration

1. Summary of the Assassination Activity. As discussed above (see pp. ______), the Agency delivered arms to AM/LASH in Cuba in March and June 1964. In early 1965 after AM/LASH became more insistent that a Castro assassination was necessary and had asked for a silenced weapon, the Agency put AM/LASH in contact with the leader of an anti-Castro group, B-1, with the intention that AM/LASH obtain such a weapon. Thereafter, the Agency learned that AM/LASH had received a silencer and other special equipment from B-1 and was preparing to assassinate Castro.

2. The Issue of Authorization. The issue of authority in the Johnson Administration is similar to that in the Kennedy Administration. During this phase of the AM/LASH plot, Helms continued as Deputy Director for covert operations, and the principal members of the Kennedy Administration continued in their positions in the relevant period of the Johnson Administration (Robert Kennedy left the Administration in the midst of this period, on _______).* Helms' testimony that he believed a Castro assassination was within the scope of the CIA's authority in view of Administration policy towards Cuba applied to the AM/LASH operation in both 1963 and 1964-65. (Helms, 6/13/75, p. 137-138.) Again, there was no evidence that McCone or anyone above the Agency specifically authorized or knew about the 1964-65 plot. We discuss below four other matters occurring during the Johnson Administration: (1) the covert action program against Cuba in 1964-1965; (2) the Special Groups' action in investigating reports of Cuban exile underworld

*Rusk (Secretary of State), McNamara (Secretary of Defense), McCone (Director of Central Intelligence); and Bundy (Special Assistant for National Security and Chairman of the Special Group).

plots to assassinate Castro; (3) Helms' report to Rusk that CIA was not involved with AM/LASH in a Castro assassination plot; and (4) Helms' briefing of President Johnson on the 1967 IG Report on alleged CIA assassination plots.

3. The Covert Action Program Against Cuba in 1964-1965. According to the minutes of a Special Group meeting on April 7, 1964, which he chaired, President Johnson decided to discontinue the use of CIA-controlled sabotage raids against Cuba.* (Memorandum of Special Group Meeting, April 7, 1964, p. ___.) A memorandum by McCone indicated that in deciding this question, President Johnson abandoned the objective of Castro's overthrow.**

At the April 7, Special Group meeting, Rusk had emphasized his opposition to the use of sabotage raids, stating his belief that they were unproductive, and had a "high noise level" that called attention to them. In addition, Rusk stated that "he suspects the Cuban exiles who actually conduct the raids of possible wishing to leave fingerprints pointing to U. S. involvement in order to increase that involvement." (Memorandum of Special Group Meeting, April 7, 1964, page 2.)

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*A memorandum by Bundy on April 7, 1964, listed seven aspects of the covert action program which had been in effect. These were: (1) collection of intelligence; (2) covert propaganda to encourage low risk forms of active and passive resistance; (3) cooperation with other agencies in economic denial; (4) attempts to identify and establish contact with potential dissident elements inside Cuba; (5) indirect economic sabotage; (6) CIA-controlled sabotage raiding; and (7) autonomous operations. (Memorandum for the Record of the Special Group, April 7, 1964, p. 1-2.)

**At the April 7, 1964, meeting Rusk and Bundy opposed continuation of sabotage actions by CIA-controlled assets as "unproductive" and impractical. McCone disagreed, noting that the covert action program relied on a "well-planned series of sabotage efforts". (Memorandum of Special Group Meeting, April 7, 1964, p. 3.) In this connection, Bundy noted that since the approval of the current sabotage in June 1963 "policymakers...had turned sabotage operations on and off to such an extent that (the sabotage program) simply does not, in the nature of things, appear feasible". (Id., p. 2.)

4. The Special Group Investigation of Reported Castro Assassination Plots by Cuban Exiles. On June 10, 1964, Helms informed McCone by memorandum that Agency officials had learned of several plots of Cuban exiles to assassinate Castro and other Cuban leaders. (Memorandum, Helms to McCone, June 10, 1964.) Several of the plots, according to the memorandum, involved "people apparently associated with the Mafia". Reportedly the exiles had offered people associated with the Mafia $150,000 to perform the deed. In his memorandum, Helms stated that the sources of the reports were parties to the plots and in submitting the information to Agency officers were presumably seeking legal immunity should the plots succeed. (Id., p. 1.)

Helms' memorandum, however, made no mention of any of the CIA assassination plots against Castro.*

(Footnote continued from previous page.)

In a memorandum the day after President Johnson's decision to stop CIA-controlled sabotage operations, McCone stated: "the real issue to be considered at the meeting and by the President was a question of whether we wished to implement the policy (outlined in certain memoranda) or abandon the basic objective of bringing about the liquidation of the Castro Communist entourage and the elimination of Communist presence in Cuba and thus rely on future events of an undisclosed nature which might accomplish this objective". (Memorandum by McCone, April 8, 1964, p. ___.)

In the context of the Special Group's discussion, McCone's use of the words "liquidation" and "elimination" appears to be another example of inartful language. A literal interpretation of these words leaves one with the impression that assassination was contemplated. But the context of the discussion does not bear out such an interpretation. Thus in specifying what he meant by "future events of an undisclosed nature" McCone pointed to "extreme economic distress caused by a sharp drop in sugar prices", and "other external factors". (Id, p. 8.) McCone testified that such references as the "elimination" or "liquidation" of the Castro regime did not refer to assassination. (McCone, p. ___.)

**Moreover, according to Bundy, no one from the CIA or anyone else informed him at the meetings that "in earlier years there had been a relationship with...persons allegedly involved with the criminal syndicate--in order to accomplish the assassination of Fidel Castro". (Bundy, p. 71.)

Indeed, it stated that "Agency officers made clear to each of the sources that the United States Government would not under any circumstances, condone the planned actions". (Id., p. 1.)

When the Special Group considered the information in Helms memorandum on June 18, 1964, McCone stated he was "somewhat skeptical" and proposed additional investigation, but "others, including Mr. Bundy, felt that the U. S. was being put on notice and should do everything in its power to ascertain promptly the veracity of the reports and then undertake prevention". (Memorandum of Special Group Meeting, June 18, 1964.) In a memorandum on the June 18 meeting, McCone indicated he had dissented from the Special Group's decision, stating his belief that the Special Group was "overly exercised" and that he was inclined to dismiss the matter as 'Miami cocktail party talk". McCone noted, however, that the Special Group "was more concerned than I and therefore planning to discuss the subject with the Attorney General and possibly Mr. Hoover". (Memorandum June 18, 1964, p. 1.)

The Special Group decided that the reports be transmitted to the Attorney General "as a matter of law enforcement". (Id.) Robert Kennedy was informed of this matter a few days later and stated that the Justice Department would investigate. (Memorandum of Meeting, 22 June 1964.) Thereafter the FBI conducted an investigation, the results of which were submitted to the Special Group on August 19, 1964, by McCone.* (Memorandum, August 19, 1964, McCone to Bundy.)

*McCone's memorandum summarized seven FBI reports on its investigation. The FBI found that several of the persons it interviewed stated they had knowledge of the exile's plots and had reported the information to the CIA. Others interviewed denied knowledge of the plans.

5. Helms' Report to Rusk that CIA was not Involved with Amlash in a Castro Assassination Plot

In March 1966, Helms reported to Rusk by memorandum on the CIA's relations with Amlash. (Rusk Ex. 7, Memorandum, March 7, 1966, Helms to Rusk). In this report, Helms stated that the CIA's contact with Amlash was for "the express purpose" of intelligence collection. (Id.). Noting Cuban press claims that Amlash and a second Cuban had been involved with the CIA in a Castro assassination plot, Helms stated:

> The Agency was not involved with either of these two men in a plot to assassinate Fidel Castro, as claimed in /a Cuban news release/ nor did it ever encourage either of these two persons to attempt such an act. (Rusk Ex. 7, p. 1).

The Helms memorandum to Rusk made no mention of the fact that CIA officers, with Helms' knowledge, had offered a poison pen to Amlash on November 22, 1963, that CIA had supplied arms to Amlash in 1964, or that CIA had put Amlash in touch with B-1 to enable him to obtain a silenced weapon to assassinate Castro.

In his testimony, Helms stated that this memorandum to Rusk was "inaccurate" and "not truthful". (Helms, 6/13/75, p. 115.)

The CIA's copy of the Helms' memorandum to Rusk contains a typed notation in which Helms' signature was recommended by the CIA's then Deputy Director for Plans, Thomas Karamessines. (Rusk Ex. 7, p. 2.) Helms testified that the day before his June 13, 1975, testimony to the Committee he had asked Karamessines why the memorandum to Rusk had been written as it was. Helms stated he and Karamessines concluded they did not know the reason but Helms speculated that "it may be until we conducted (the 1967 IG investigation) somewhat later we didn't have the facts straight, or maybe we had the facts straight then but we did not have them straight later". (Helms, 6/13/75, p. 115.)

6. Helms' Briefing of President Johnson on the 1967 Inspector General's Report. Drew Pearson's article in the spring of 1967 alleging U. S. involvement in plots to assassinate Fidel Castro prompted President Johnson to request Helms, who by then had become the DCI, to conduct an investigation. The result was the Inspector General's Report of May 23, 1967. (Helms, 6/13/75, p. 35.) After receiving the report, Helms briefed the President "orally about the contents". (Id. at 36.) During his testimony, Helms was shown his handwritten notes apparently prepared for his briefing of the President. Those notes carried the story through mid-1963. When asked if he told President Johnson that, according to the 1967 study, the efforts to assassinate Fidel Castro had continued into Johnson's presidency, Helms replied, "I just can't answer that, I just don't know. I can't recall having done so". (Id. at 38.) He did note that it would not have occurred to him to brief President Johnson on the 1964 AM/LASH gun deliveries because "I don't think one would have approached the AM/LASH thing as an assassination plot against Castro". (Id. at 39.) Helms had testified that AM/LASH was an intelligence and political action agent. (Helms, ____, p. ____.) The IG Report however, treated the AM/LASH operation as an assassination plot. (IG, p. ____-____.)

7. Helms Testimony on Authorization in the Johnson Administration. In his testimony, Helms was asked if the Agnecy regarded "whatever marching orders they had obtained prior to the dealth of President Kennedy as still being valid and operative" when President Johnson succeeded to the office. Helms replied:

> This is not very clear to me at this stage. A lot of the same officers were serving President Johnson as they served President Kennedy, and...I can't recall anymore whether there was any specific issue about whether this was taken up with President Johnson at any meeting or any session. If it had been, I would have thought there would have been records someplace." (Helms, 6/13, p. 139.)

When asked whether President Johnson had been informed of or had authorized continuing efforts to assassinate Castro, Helms replied indirectly that "the Special Group would have continued to consider these matters, and I would have assumed that whoever was chairing the Special Group would have in turn reported to the President, which was the usual practice". (Id.)

But the records of the Special Group do not show any consideration of a Castro assassination or of the AM/LASH plot during the Johnson Administration (or earlier). And, as discussed above, there was no evidence that McCone or anyone above the Agency was informed of or specifically authorized the AM/LASH plots.

Agreed to by Subcommittee 10/10/75
Pending (1) Rewrite per Subcommittee
Editing and (2) Insertion of
Gottlieb and Tweedy Testimony

TABLE OF CONTENTS

D. CONGO

1. Introduction

The Committee has received solid evidence of a CIA plot to assassinate Patrice Lumumba. The plot proceeded to the point where lethal substances and instruments specifically intended for use in an assassination were placed in the hands of the CIA Chief of Station in Leopoldville by an Agency scientist.

Although these instruments of assassination were never used, a number of questions are presented by the Lumumba case which reflect general issues that run throughout the Committee's assassination inquiry. First, did CIA officers and operatives in the Congo take steps to attempt the assassination of Lumumba?

Second, how high in the United States government was the source of authorization for the CIA assassination plot? Finally, was the CIA connected in any way to the events that actually led to the death of Lumumba while in Congolese custody?

A thread of historical background is necessary to weave these broad questions together with the documents and testimony received by the Committee.

In the summer of 1960, there was a great deal of concern at the highest levels in the United States government about the role of Patrice Lumumba in the Congo.* Lumumba, who served briefly as Premier of the newly independent nation, was viewed with alarm by United States foreign policymakers because of what they perceived as his magnetic public appeal and his leanings toward the Soviet Union.

Under the leadership of Lumumba and the new President, Joseph Kasavubu, the Congo declared its independence from Belgium on June 30, 1960. In the turbulent month that followed, Lumumba threatened to invite Soviet troops to hasten the withdrawal of Belgian armed forces. The United Nations Security Council requested a Belgian withdrawal and dispatched a neutral force to the Congo to preserve order. In late July, Lumumba visited Washington and received pledges of economic aid from Secretary of State Christian Herter. At the beginning of September, Soviet airplanes, trucks, and technicians were arriving in the province where Lumumba's support was strongest.

By mid-September, Lumumba sought protection from the UN guard in Leopoldville after losing a struggle over the leadership of the government with Kasavubu and Joseph Mobutu, Chief of Staff of the Congolese armed forces. In early December, Mobutu's troops captured Lumumba while he was traveling toward his stronghold at

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* Since the period in which the events under examination occurred, the names of many geographical units and governmental institutions have changed. For instance, the nation formerly known as the Republic of the Congo is now the Republic of Zaire and the present capital city, Kinshasa, was known then as Leopoldville. For the sake of clarity in dealing with many of the documents involved in this section, the names used in this report are those which applied in the early 1960's, contemporaneously with the events under consideration.

Stanleyville, and he was imprisoned. The central government of the Congo transferred Lumumba on January 17, 1961 to the custody of authorities in the province of Katanga, which was asserting its own independence at that time. Several weeks later, the Katangese authorities announced Lumumba's death.

There are various accounts of the circumstances and timing of Lumumba's death. The United Nations investigation of the incident concluded that Lumumba was killed on January 17.*

2. Dulles Cables Leopoldville That "Removal" of Lumumba is an Urgent Objective in "High Quarters"

Shortly after the Congolese declaration of independence from Belgium on June 30, 1960, the CIA assigned a new Chief of Station to the Congo. The Chief of Station said that the briefings he received at CIA headquarters in preparation for his departure contained no discussion of the possibility of assassinating Patrice Lumumba (Hedgman, 8/21/75, p. 8). On his brief return to headquarters in connection with Lumumba's visit to Washington in late July, the Chief of Station again heard no discussion of assassinating Lumumba (Hedgman, 8/21/75, p. 9).

During August, great concern about Lumumba's political strength in the Congo was growing among the foreign policy-makers of the Eisenhower Administration.** This concern was nurtured

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* Report of the Commission of Investigation, 11/61, UN Security Council, Official Records, Supplement for October, November, and December.

** See Section 5, infra, for full discussion of the prevailing anti-Lumumba attitude in the United States government as shown by minutes of the National Security Council and Special Group and the testimony of high Administration officials.

by intelligence reports such as that cabled to CIA headquarters by the new Chief of Station:

> EMBASSY AND STATION BELIEVE CONGO EXPERIENCING CLASSIC COMMUNIST EFFORT TAKEOVER GOVERNMENT. MANY FORCES AT WORK HERE: SOVIETS ... COMMUNIST PARTY, ETC. ALTHOUGH DIFFICULT DETERMINE MAJOR INFLUENCING FACTORS TO PREDICT OUTCOME STRUGGLE FOR POWER, DECISIVE PERIOD NOT FAR OFF. WHETHER OR NOT LUMUMBA ACTUALLY COMMIE OR JUST PLAYING COMMIE GAME TO ASSIST HIS SOLIDIFYING POWER, ANTI-WEST FORCES RAPIDLY INCREASING POWER CONGO AND THERE MAY BE LITTLE TIME LEFT IN WHICH TAKE ACTION TO AVOID ANOTHER CUBA.... (CIA Cable IN 39706, Leopoldville to Director, 8/18/60.)

This cable also stated the Chief of Station's operational "OBJECTIVE [OF] REPLACING LUMUMBA WITH PRO WESTERN GROUP" (CIA Cable, 8/18/60). Bronson Tweedy, then Chief of the Africa Division of CIA's clandestine services, replied the same day that he was seeking State Department approval for the proposed operation based upon "OUR BELIEF LUMUMBA MUST BE REMOVED IF POSSIBLE" (CIA Cable Out 59741, Tweedy to Leopoldville, 8/18/60). On August 19, Richard Bissell, Director of CIA's covert operations branch, signed a follow-up cable to Leopoldville: "YOU ARE AUTHORIZED PROCEED WITH OPERATION" (CIA Cable OUT 59959, Director to Leopoldville, 8/19/60).

Several days later, the Chief of Station reported that a plan to assassinate Lumumba had been proposed to President Kasavubu by Congolese leaders:

> ANTI-LUMUMBA LEADERS APPROACHED KASAVUBU WITH PLAN ASSASSINATE LUMUMBA ... KASAVUBU REFUSED AGREE SAYING HE RELUCTANT RESORT VIOLENCE AND NO OTHER LEADER SUFFICIENT STATURE REPLACE LUMUMBA. (CIA Cable IN 42761, Leopoldville to Director, 8/24/60.)

This incident indicates that the CIA was aware that there was some Congolese support for the assassination of Lumumba, but that the moderate President of the Congo still respected Lumumba and refused to consider assassination.

On August 25, 1960, Allen Dulles attended a meeting of the Special Group -- the National Security Council subcommittee responsible for the planning of covert operations.* In response to the outline of some CIA plans for political actions against Lumumba, such as arranging a vote of no confidence by the Congolese Parliament, the Special Assistant to the President for National Security Affairs reported that the President

> had expressed extremely strong feelings on the necessity for very straightforward action in this situation, and he wondered whether the plans as outlined were sufficient to accomplish this. (Special Group Minutes, 8/25/60.)

After this discussion, the Special Group

> finally agreed that planning for the Congo would not necessarily rule out "consideration" of any particular kind of activity which might contribute to getting rid of Lumumba. (Special Group Minutes, 8/25/60.)

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* This Special Group meeting and the testimony about its significance on the issue of authorization is discussed in detail in Section 5 (iii), infra.

The next day, Allen Dulles personally signed a cable* to the Leopoldville Chief of Station which stressed the urgency of "removing" Lumumba:

> IN HIGH QUARTERS** HERE IT IS THE CLEAR-CUT CONCLUSION THAT IF LLL [LUMUMBA] CONTINUES TO HOLD HIGH OFFICE, THE INEVITABLE RESULT WILL AT BEST BE CHAOS AND AT WORST PAVE THE WAY TO COMMUNIST TAKEOVER OF THE CONGO WITH DISASTROUS CONSEQUENCES FOR THE PRESTIGE OF THE UN AND FOR THE INTERESTS OF THE FREE WORLD GENERALLY. CONSEQUENTLY WE CONCLUDE THAT HIS REMOVAL MUST BE AN URGENT AND PRIME OBJECTIVE THAT UNDER EXISTING CONDITIONS THIS SHOULD BE A HIGH PRIORITY OF OUR COVERT ACTION. (CIA Cable, OUT 62966, Director to Leopoldville, 8/26/60.)

Dulles cabled that the Chief of Station was to be given "WIDER AUTHORITY" -- along the lines of the previously authorized operation to replace Lumumba with a pro-Western group -- "INCLUDING EVEN MORE AGGRESSIVE ACTION IF IT CAN REMAIN COVERT" (CIA Cable, 8/26/60). "WE REALIZE THAT TARGETS OF OPPORTUNITY MAY PRESENT THEMSELVES TO YOU," the cable continued (CIA Cable, 8/26/60).

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* Cables issued under the personal signature of the DCI are a relative rarity in CIA communitations and call attention to the importance and sensitivity of the matter discussed.

** As discussed in Section 5(c), infra, Richard Bisell testified that Allen Dulles would have used the phrase "higher quarters" to refer to the President (Bissell, 9/10/75, p. 48).

Dulles also authorized the expenditure of up to $100,000 "TO CARRY OUT ANY CRASH PROGRAMS ON WHICH YOU DO NOT HAVE THE OPPORTUNITY TO CONSULT HQS" (CIA Cable, 8/26/60). He assured the Chief of Station that the message had been "SEEN AND APPROVED AT COMPETENT LEVEL" in the State Department (CIA Cable, 8/26/60). But the Director of Central Intelligence made a special point of assuring the Chief of Station that he was authorized to act unilaterally in a case where the United States Ambassador to the Congo would prefer to remain uninformed:

> TO THE EXTENT THAT AMBASSADOR MAY DESIRE TO BE CONSULTED, YOU SHOULD SEEK HIS CONCURRENCE. IF IN ANY PARTICULAR CASE, HE DOES NOT WISH TO BE CONSULTED YOU CAN ACT ON YOUR OWN AUTHORITY WHERE TIME DOES NOT PERMIT REFERRAL HERE (CIA Cable, 8/26/60).

This mandate raises a question as to whether the DCI was contemplating a particular form of action against Lumumba which the Ambassador would want to be in a position to "plausibly deny" United States involvement. DDP Richard Bissell testified that he was "almost certain" that he was informed about the Dulles cable shortly after its transmission and that it was his "belief" that the cable was a circumlocutious means of indicating that the President wanted Lumumba to be killed (Bissell, 9/10/75, pp. 33, 64-65).*

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* See Section 5(c), infra, for additional testimony by Bissell on the question of authorization for the assassination effort against Lumumba.

3. <u>CIA Encourages Congolese Efforts to "Eliminate" Lumumba, Who is Viewed as a "Grave Danger" Even After Being Deposed and Placed in UN Protective Custody</u>

On September 5, 1960, President Kasavubu dismissed Premier Lumumba from the government despite the strong support for Lumumba that existed in the Congolese Parliament. After losing the ensuing power struggle with Kasavubu and Mobutu, who seized the government by a military coup on September 14, Lumumba sought protection from the United Nations peace-keeping force. The evidence indicates that the ouster of Lumumba from the government did not alleviate the concern about him in the United States government.

Rather, the CIA and high Eisenhower Administration officials* continued to view him as a threat, at least until early December when he was captured by Mobutu's troops and imprisoned. During this period, CIA officers in the Congo advised and aided Congolese contacts known to have any intent to kill Lumumba. They also opposed the resumption of the democratic process after the coup -- by reopening the Parliament -- because of the likelihood that this would return Lumumba to power.

The day after Lumumba was deposed by Kasavubu, two CIA officers met with a high level Congolese politician who had a close relationship to the Leopoldville Station. The Station reported to CIA headquarters that the politician had made a response

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* A detailed treatment of the expressions of continued concern over Lumumba at the National Security Council level is set forth in Section ____, <u>infra</u>.

to a remark by the Chief of Station that implied that he might assassinate Lumumba:

> TO COS COMMENT THAT LUMUMBA IN OPPOSITION IS ALMOST AS DANGEROUS AS IN OFFICE, [THE CONGOLESE POLITICIAN] INDICATED UNDERSTOOD AND IMPLIED MIGHT PHYSICALLY ELIMINATE LUMUMBA. (CIA Cable, IN 49679, Leopoldville to Director, 9/7/60.)

The cable continued to report that the Chief of Station had offered to assist this politician "IN PREPARATION NEW GOVERNMENT PROGRAM" and assured him that the United States would supply technicians (CIA Cable, 9/7/60).

As the chaotic struggle for power raged, the Chief of the Africa Division succinctly summarized the prevalent U. S. apprehension about Lumumba's ability to influence events in the Congo by virtue of personality, irrespective of his official position:

> LUMUMBA TALENTS AND DYNAMISM APPEAR OVER-RIDING FACTOR IN REESTABLISHING HIS POSITION EACH TIME IT SEEMS HALF LOST. IN OTHER WORDS EACH TIME LUMUMBA HAS OPPORTUNITY HAVE LAST WORD HE CAN SWAY EVENTS TO HIS ADVANTAGE. (CIA Cable, OUT 69233, Director to Leopoldville, 9/13/60).

The day after Mobutu's coup, the Chief of Station reported that he was serving as an advisor to a Congolese effort to "eliminate" Lumumba due to his "fear" that Lumumba might, in fact, have been strengthened by placing himself in UN custody, which afforded a safe base of operations:

> STILL DIFFICULT DETERMINE WHETHER MOBUTU HAS SUFFICIENT CONTROL ARMY TO ENFORCE DECISIONS ANNOUNCED NIGHT 14 SEPTEMBER. STATION ADVISED [TWO MODERATE CONGOLESE POLITICIANS] TRY WORK WITH [KEY CONGOLESE CONTACT] IN EFFORT ELIMINATE LUMUMBA. FEAR UN PROTECTION WILL GIVE LUMUMBA OPPORTUNITY ORGANIZE COUNTER ATTACK. ONLY SOLUTION IS REMOVE HIM FROM SCENE SOONEST. (CIA Cable, IN 13374, Leopoldville to Director, 9/15/60.)

On September 17, another CIA operative in the Congo met with a leading Congolese senator. At this meeting, the senator requested a clandestine supply of small arms to equip some Congolese Army troops. The cable to CIA headquarters concerning the meeting reported:

> [CONGOLESE SENATOR] REQUESTED CLANDESTINE SUPPLY SMALL ARMS TO EQUIP ... TROOPS RECENTLY ARRIVED LEOP[OLDVILLE] AREA ... [THE SENATOR] SAYS THIS WOULD PROVIDE CORE ARMED MEN WILLING AND ABLE TAKE DIRECT ACTION ... [SENATOR] RELUCTANTLY AGREES LUMUMBA MUST GO PERMANENTLY. DISTRUSTS [ANOTHER CONGOLESE LEADER] BUT WILLING MAKE PEACE WITH HIM FOR PURPOSES ELIMINATION LUMUMBA. (CIA Cable, IN 14228, Leopoldville to Director, 9/17/60.)

The CIA operative told the Congolese senator that "HE WOULD EXPLORE POSSIBILITY OBTAINING ARMS" and recommended to CIA headquarters that they should

> HAVE [ARMS] SUPPLIES READY TO GO AT NEAREST BASE PENDING [UNITED STATES] DECISION THAT SUPPLY WARRANTED AND NECESSARY (CIA Cable, 9/17/60).*

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* This recommendation proved to be in line with large scale planning at CIA headquarters for clandestine paramilitary support to anti-Lumumba elements. On October 6, 1960, Richard Bissell and Bronson Tweedy signed a cable concerning plans which the Chief of Station was instructed not to discuss with State Department representatives or operational contacts:
(footnote continued on next page)

Several days later, while warning a key Congolese leader about coup plots led by Lumumba and two of his supporters, the Chief of Station

> URGED ARREST OR OTHER MORE PERMANENT DISPOSAL OF LUMUMBA, GIZENGA, AND MULELE (CIA Cable, IN 15643, Leopoldville to Director, 9/20/61).

Gizenga and Mulele were Lumumba's lieutenants who were leading his supporters while Lumumba was in UN custody.

(Footnote continued from previous page)

> [IN]VIEW UNCERTAIN OUTCOME CURRENT DEVELOPMENTS [CIA] CONDUCTING CONTINGENCY PLANNING FOR CONGO AT REQUEST POLICY ECHELONS. THIS PLANNING DESIGNED TO PREPARE FOR SITUATION IN WAY [UNITED STATES] WOULD PROVIDE CLANDESTINE SUPPORT TO ELEMENTS IN ARMED OPPOSITION TO LUMUMBA.
>
> CONTEMPLATED ACTION INCLUDES PROVISION ARMS, SUPPLIES AND PERHAPS SOME TRAINING TO ANTI-LUMUMBA RESISTANCE GROUPS.
>
> (CIA Cable OUT 04697, Director to Leopoldville, 10/6/60.)

Throughout the fall of 1960, the CIA continued to view Lumumba as a serious political threat while he remained in UN protective custody.* One concern was that if the Parliament -- which had been closed by the coup -- were re-opened and the moderates

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* Both Richard Bissell and Bronson Tweedy, then Chief of the CIA Africa Division, confirmed that the CIA continued to view Lumumba as a threat even after he placed himself in UN custody (Bissell, 9/10/75, pp. ; Tweedy, 9/9/75, pp.). Both Bissell and Tweedy referred to two factors to substantiate this view: first, Lumumba was a spellbinding orator with the ability to stir masses of people to action; and second, the UN forces did not restrain Lumumba's freedom of movement and the Congolese army surrounding them were often lax in maintaining their vigil.

[Quote/Cite from transcripts.]

failed to obtain a majority vote, the "PRESSURES FOR [LUMUMBA'S] RETURN WILL BE ALMOST IRRESISTABLE" (CIA Cable, IN 33499, Leopoldville to Director, 10/26/60).* Another general concern at CIA headquarters was that foreign powers would intervene in the Congo and bring Lumumba to power (CIA Cable, OUT 81720, Director to Leopoldville, 10/17/60). Similarly, throughout this period Lumumba was viewed by CIA officials and the Eisenhower Administration** as a stalking horse for "what appeared to be a Soviet effort to take over the Congo" (Hedgman, 8/21/75, pp. 10, 45).

During this period, the Leopoldville station continued to maintain close operational relationships with, and offer aid to, Congolese contacts who expressed a desire to assassinate Lumumba*** although there is no direct evidence that aid was provided for the specific purpose of assassination.

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* A CIA Cable (IN 37289) from Leopoldville to the Director on November 3, 1960 returns to this theme: the opening of the Congolese Parliament by the United Nations is opposed because it "WOULD PROBABLY RETURN LUMUMBA TO POWER."

** See Section ____, infra, on such analysis at high-level policy meetings.

*** A Congolese security officer in liaison with the CIA on an attempt to tap Lumumba's phones "IMPLIED HE TRYING HAVE [LUMUMBA] KILLED BUT ADDED THIS MOST DIFFICULT AS JOB WOULD HAVE BE DONE BY AFRICAN WITH NO APPARENT INVOLVEMENT WHITE MAN. (CIA Cable, IN 34867, Leopoldville to Director, 10/28/60.)

4. The Plot to Assassinate Lumumba

In the fall of 1960, a scientist from CIA headquarters delivered to the Chief of Station in Leopoldville lethal biological substances to be used to assassinate Patrice Lumumba. The Chief of Station testified that after requesting and receiving confirmation from CIA headquarters that he was to carry out the scientist's instructions, he proceeded to take "exploratory steps" in furtherance of the assassination plot. The Chief of Station testified that in the course of his discussion with the CIA scientist, Sidney Gottlieb, he was informed that President Eisenhower had ordered the assassination mission against Patrice Lumumba. Gottlieb's mission to the Congo was both preceded and followed by general cables urging the "elimination" of Lumumba sent from CIA headquarters in an extraordinarily restricted "Eyes Only" channel -- including two messages under the personal signature of Allen Dulles.

The lethal substances were never used by the Chief of Station. But despite the fact that Lumumba had placed himself in the protective custody of the UN peace-keeping force shortly before the poisons were delivered to the Chief of Station, there is no clear evidence that the assassination operation was terminated before Lumumba's death. There is, however, no direct evidence of a connection between the CIA assassination plot and the events which actually led to Lumumba's death.*

* See Section 6, infra, for a discussion of the evidence about the circumstances that led to Lumumba's death in Katanga.

(a) Dulles Cables Again for "Elimination" of Lumumba, and a Messenger is Sent to Congo With a Highly Sensitive Assignment

On September 19, 1960, several days after Lumumba placed himself in the protective custody of the United Nations peacekeeping force in Leopoldville, Richard Bissell and Bronson Tweedy signed a cryptic cable to Leopoldville to arrange a clandestine meeting between the Chief of Station and "Sidney Braun," who was traveling to the Congo on an unspecified assignment:

> ["SID"] SHOULD ARRIVE APPROX 27 SEPT. . . WILL ANNOUNCE HIMSELF AS "SID FROM PARIS". . . IT URGENT YOU SHOULD SEE ["SID"] SOONEST POSSIBLE AFTER HE PHONES YOU. HE WILL FULLY IDENTIFY HIMSELF AND EXPLAIN HIS ASSIGNMENT TO YOU. (CIA Cable, OUT 71464, Bissell/Tweedy to Chief of Station, 9/19/60.)

The cable bore a highly unusual sensitivity indicator -- "PROP" -- that restricted circulation at CIA headquarters to the Chief of the Africa Division.*

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* In a letter of September 23, 1975, the Chief of the CIA Review Staff informed the Committee that "PROP" was normally used "to denote sensitive personnel matters" (Seymour R. Bolton to Frederick A. O. Schwarz and Frederick D. Baron, 9/23/75. It appears that this sensitivity indicator, while created for other purposes, was utilized by Bissell, Tweedy, and the Chief of Station to restrict distribution of their communications about an assassination operation. The cable traffic cited in this report that was sent through the PROP channel did not touch upon personnel matters except in terms of recruiting additional CIA officers and agents for the assassination operation.

The Bissell/Tweedy cable informed the Chief of Station that he was to continue to use this indicator for

> ALL [CABLE] TRAFFIC THIS OP, WHICH YOU INSTRUCTED HOLD ENTIRELY TO YOURSELF. (CIA Cable, 9/19/60.)

The Chief of Station -- referred to herein as "Hedgman"* -- testified to a clear, independent recollection of receiving such a cable. Hedgman stated that in September of 1960 he received a "most unusual" cable from CIA headquarters (Hedgman, 8/21/75, pp. 11, 43). The cable advised, in his words, that:

> someone who I would have recognized would arrive with instructions for me.... I believe the message was also marked for my eyes only ... and contained instructions that I was not to discuss the message with anyone. (Hedgman, 8/21/75, pp. 12-13.)

Hedgman said that the cable did not specify the kind of instructions he was to receive, and it "did not refer to Lumumba in any way" (Hedgman, 8/21/75, p. 12).

Three days after the Bissell/Tweedy message that Hedgman was to meet "Sid" in Leopoldville, Bronson Tweedy uses the same sensitivity indicator on a cable sent to Hedgman on an "Eyes Only" basis (CIA Cable, OUT 74837, Tweedy to Leopoldville, 9/22/60).

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* Due to fear of reprisal from Lumumba's followers, the Chief of Station for the Congo from mid-summer 1960 through 1961 testified under the alias "Hedgman" (Hedgman, 8/21/75, p. 2; 8/25/75, p. 4).

On September 24, Allen Dulles personally issued a cable to Leopoldville expressing in absolute terms his desire to "eliminate" Lumumba:

> WE WISH GIVE EVERY POSSIBLE SUPPORT IN ELIMINATING LUMUMBA FROM ANY POSSIBILITY RESUMING GOVERNMENTAL POSITION OR IF HE FAILS IN LEOP[OLDVILLE], SETTING HIMSELF IN STANLEYVILLE OR ELSEWHERE. (CIA Cable, OUT 73573, Dulles to Leopoldville, 9/24/60.)

Dulles had expressed a similar view three days before in the presence of the President at an NSC meeting, stating:

> Mobutu appeared to be the effective power in the Congo for the moment but Lumumba was not yet disposed of and remained a grave danger as long as he was not disposed of. (NSC Minutes, 9/21/60)

(b) Gottlieb Delivers Lethal Substances to the Chief of Station in the Congo for the Assassination of Lumumba

The Chief of Station reported through the PROP channel to Bronson Tweedy that he had made contact with the man dispatched to Leopoldville with a highly sensitive assignment on September 26. (CIA Cable IN 18989, Leopoldville to Tweedy, 9/27/60) This was the same week in which Dulles cabled about the "elimination" of Lumumba and made his statement to the NSC about the "grave danger" that existed as long as Lumumba was not "disposed of".

Hedgman testified about the identity of "SID" -- the messenger referred to in the first cable through the PROP channel:

Q: Who was the messenger who arrived?

Hedgman: Mr. Sidney Gottlieb

Tweedy's cable indicated that a third country national would be required as an agent in the PROP operation:

> IF DECIDED SUPPORT FOR PROP OBJECTIVES, BELIEVE ESSENTIAL SUCH BE PROVIDED THROUGH THIRD NATIONAL CHANNEL WITH [AMERICAN] ROLE COMPLETELY CONCEALED. (CIA Cable, 9/22/60.)

Tweedy expressed reservations about two agents that the station was using for other operations and said "WE ARE CONSIDERING A THIRD NATIONAL CUTOUT CONTACT CANDIDATE AVAILABLE HERE WHO MIGHT FILL BILL"* (CIA Cable, 9/22/60). Despite Tweedy's concern about the two existing station contacts, he indicated that the Chief of station and his "colleague" -- presumably the man identified as "Sid" who was to arrive in the Congo shortly to explain the PROP operation to Hedgman -- were to be afforded considerable latitude in exercising their judgment on the conduct of the operation:

> YOU AND COLLEAGUE UNDERSTAND WE CANNOT READ OVER YOUR SHOULDER AS YOU PLAN AND ASSESS OPPORTUNITIES. OUR PRIMARY CONCERN MUST BE CONCEALMENT [AMERICAN] ROLE, UNLESS OUT-STANDING OPPORTUNITY EMERGES WHICH MAKES CALCULATED RISK FIRST CLASS BET. READY ENTERTAIN ANY SERIOUS PROPOSALS YOU MAKE BASED OUR HIGH REGARD BOTH YOUR PROFESSIONAL JUDGMENTS. (CIA Cable, 9/22/60.)

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* This is probably a reference to agent QJWIN, who was later dispatched to the Congo. His mission is discussed in Sections ____, ____, and ____, infra.

Q: And at that time, you knew who he was?

Hedgman: I recognized him as an officer of the Agency . . . . I believe he referred to the fact that I had received a message and that he was the person concerned. (Hedgman, 8/21/75, pp. 15-16)

The message carried by Gottlieb, then Science Advisor to DDP Richard Bissell, was unmistakeably clear according to Hedgman:

Hedgman: It is my recollection that he advised me, or my instructions were, to eliminate Lumumba.

Q: By eliminate, do you mean assassinate?

Hedgman: Yes. I would say that was . . . my understanding of the primary means. I don't think it was probably limited to that, if there was some other way of doing it.

Q: Of doing what?

Hedgman: Of removing him from a position of political threat. (Hedgman, 8/21/75, pp. 17-18.)

Hedgman said that he and Gottlieb also may have discussed non-lethal means of removing Lumumba as a "political threat", but he said, "I cannot recall with certainty on that" (Hedgman, 8/21/75, p. 28).

He clearly recalled the discussion of assassination, however:

Q: And what did Mr. Gottlieb indicate with regard to the possibility of physically eliminating him?

Hedgman: It was my understanding that that was probably expected of me. (Hedgman, 8/21/75, p. 18.)

And again:

Q: I take it that once you started discussing these lethal agents, there was no doubt in your mind that the kind of elimination he was there particularly to discuss was killing Lumumba?

> Hedgman: There was no doubt in my mind that this was one of the way[s], and probably what they thought was the only way that would work (Hedgman, 8/21/75, p. 25).

Hedgman explained Gottlieb provided him with poisons as a means of assassination:

> Q: And what did he tell you with regard to how that might be accomplished?
>
> Hedgman: ... He brought some biological agents. I assume that that's the correct word. But in any case, poisonous agent with him, which he passed to me....
>
> Q: These were lethal biological substances?
>
> Hedgman: Yes. That was my understanding as a non-expert. (Hedgman, 8/21/75, pp. 18-19.)

Hedgman testified that he received "rubber gloves, a mask, and a syringe" along with the poisons and that Gottlieb instructed him in their use (Hedgman, 8/21/75, pp. 20-21). Hedgman indicated that this paraphernalia was for administering the poisons to Lumumba:

> Q: [W]hen he [Gottlieb] came to the Congo to give you lethal biological agents for the assassination of Lumumba, was it clear at that time that the means for administering those biological agents was to inject them into a substance that was to be ingested by Lumumba, whether it be food, or drink, or toothpaste or any other substance that was to be ingested?
>
> Hedgman: That's my recollection, yes. (Hedgman, 8/21/75, p. 82; accord. p. 24.)

Hedgman said that the means of assassination was not restricted to use of the poisons provided by Gottlieb:

> This was not a sine qua non that I employ this. If there were another method, another way, it would have been acceptable. (Hedgman, 8/21/75, p. 19.)

For example, Hedgman testified that he may have "suggested" shooting Lumumba to Gottlieb as an alternative to poisoning (Hedgman, 8/21/75, pp. 27-29).

There was a firm requirement, however, that the means of assassination should not be traceable to the United States:

> The biological substance, or specimens, what have you, I think it was up to my judgment, and if there was a better way -- certainly. [T]he point I now recall was in no way, if I implemented these instructions, no way could it be traced back to the United States. It had to be a way which could not be traced back ... either to an American or the United States government. (Hedgman, 8/21/75, p. 19.)

Hedgman said Gottlieb assured him that the poisons were produced to meet this requirement:

> I believe I raised the point that poisons left traces in the human body, which could be found on autopsy ... I believe that I was assured that these ... lethal agents would [leave] normal traces found in people that die of certain diseases. (Hedgman, 8/21/75, p. 23.)

Hedgman said that he had an "emotional reaction of great surprise" when it first became clear that Gottlieb was there to discuss an assassination plan (Hedgman, 8/21/75, p. 30). But the Chief of Station said that he did not give any indication that he would not carry out the instructions (Hedgman, 8/21/75, p. 46). Instead, he told Gottlieb he "would explore this" (Hedgman, 8/21/75, p. 46) and left him with the following impression:

> I think it would be a fair impression that he would take away the thought that I was going to look into it and try and figure if there was a way ... I believe I

> stressed the difficulty of trying to carry out such an operation. (Hedgman, 8/21/75, p. 47.)

The cable that Hedgman sent to headquarters reporting his initial contact with Gottlieb was clearly an affirmative response to the assignment. The Chief of Station said that he and Gottlieb were "ON SAME WAVELENGTH." (CIA Cable IN 18989, Leopoldville to Tweedy, 9/27/60.) Hedgman was "afraid" that Mobutu's government was "weakening under" foreign pressure to effect a reconciliation with Lumumba, and said:

> HENCE BELIEVE MOST RAPID ACTION CONSISTENT WITH SECURITY INDICATED. (CIA Cable, 9/27/60.)

(c) Hedgman Testified That Gottlieb Told Him That President Eisenhower Had Ordered the Assassination of Lumumba

Hedgman testified that in the course of their meeting in Leopoldville, Dr. Gottlieb informed him that President Eisenhower had authorized the assassination of Lumumba:

> Q: Did you raise with him the question of authorization of such instructions to you?
>
> Hedgman: Yes, I did. That's my quite strong recollection, that I did.
>
> Q: What do you recall in essence was what you said to him?
>
> Hedgman: In essence, I think I must have ... pointed out that this was not a common or usual Agency tactic, and I may have probably said that I never heard of it being done, which I had not, never in my training or previous work in the Agency had I ever heard any references to such, in my recollection at least, such methods. And it is my recollection I asked on whose authority these instructions were issued.
>
> Q: And what did Mr. Gottlieb reply?

Hedgman: It is my recollection that he identified the President, and I cannot -- the President of the United States -- and I cannot recall whether he said "the President," or whether he identified him by name. (Hedgman, 8/21/75, pp. 30-31.)

Hedgman continued to explain that he was told "something to the effect that the President had instructed the Director" (Hedgman, 8/21/75, pp. 32, 34). Hedgman was clear that the ultimate source of authority for the assassination mission was the President:

Q: Your understanding then was that these instructions were instructions coming to you from the office of the President?

Hedgman: That's correct.

Q: Or that he had instructed the Agency, and they were passed on to you?

Hedgman: That's right.

Q: You are not the least unclear whether or not you became aware with a very clear impression that the President's name had been invoked in some fashion?

Hedgman: Yes. I came -- certainly that is my recollection.

Q: You have no doubt about that?

Q: At the time.

Hedgman: At the time, I certainly felt that I was under instructions from the President, yes. (Hedgman, 8/21/75, pp. 32-33.)

Hedgman cautioned that he was recalling events long past:

> Hedgman: Gentlemen, after fifteen years, I cannot be 100 per cent certain, but I have always, since that date, had the impression in my mind that these orders had come from the President. (Hedgman, 8/21/75, p. 34.)

But he left no doubt about the strength of his "impression":

> Q: You have a very firm recollection that he [Gottlieb] represented to you that the President of the United States directed the assassination of Patrice Lumumba, is that correct?
>
> Hedgman: That's my recollection. Yes. (Hedgman, 8/21/75, p. 102; accord, p. 34.)

(d) Headquarters Makes the Assassination Plot "Highest Priority" and Authorizes Steps in Furtherance of It

On the basis of his talks with "Sid," Hedgman listed a number of "possibilities" for covert action against Lumumba. At the top of the list was the suggestion that a particular agent be used in the following manner:

> HAVE HIM TAKE REFUGE WITH BIG BROTHER. WOULD THUS ACT AS INSIDE MAN TO BRUSH UP DETAILS TO RAZOR EDGE. (CIA Cable, 9/27/60.)

Hedgman indicated that he would begin to follow this course by recalling the agent to Leopoldville. (CIA Cable, 9/27/60.) He informed headquarters: "PLAN PROCEED ON BASIS PRIORITIES AS LISTED ABOVE, UNLESS INSTRUCTED TO CONTRARY" (CIA Cable, 9/27/60).

On September 30, the Chief of Station urged that headquarters authorize "exploratory conversations" with this agent so

that he could proceed with the plan that was his top priority:

> NO REALLY AIRTIGHT OP POSSIBLE WITH ASSETS NOW AVAILABLE. MUST CHOOSE BETWEEN CANCELLING OP OR ACCEPTING CALCULATED RISKS OF VARYING DEGREES.
>
> ... [IN] VIEW NECESSITY ACT IMMEDIATELY, IF AT ALL, URGE HQS AUTHORIZE EXPLORATORY CONVERSATIONS TO DETERMINE IF [AGENT] WILLING TAKE ROLE AS ACTIVE AGENT OR CUT-OUT THIS OP. (WOULD APPROACH ON HYPOTHETICAL BASIS AND NOT REVEAL PLANS.) IF HE APPEARS WILLING ACCEPT ROLE, WE BELIEVE IT NECESSARY REVEAL OBJECTIVE OP TO HIM.
>
> ... REQUEST HQS REPLY [IMMEDIATELY]. (CIA Cable, IN 20857, Leopoldville to Tweedy, 9/30/60.)

Hedgman's cables -- sent for Tweedy's "Eyes Only" in the PROP channel -- indicated that the assassination operation had been mounted. They show that a specific operational plan had been set in motion to the extent that Hedgman thought that it would have to be clearly "cancelled" by headquarters before he would stop proceeding with the plan. Hedgman's description of the means of maintaining the security of the operation could be taken as a reference to a lethal biological agent which would be slow to take effect or which would leave no traces:

> ALTHOUGH TOO EARLY SEE SPECIFIC DETAILS [AGENT'S] PART IN OP, BELIEVE RISK MINIMIZED IF HE LEAVES AREA BEFORE EFFECTS OP ARE APPARENT. (CIA Cable, IN 20857, Leopoldville to Tweedy.)

The same day, through the PROP channel, Hedgman received authorization from headquarters to proceed with his top priority plan:

> YOU ARE AUTHORIZED HAVE EXPLORATORY TALKS WITH SCHOTROFFE TO ASSESS HIS ATTITUDE TOWARD POSSIBLE ACTIVE AGENT OR CUTOUT ROLE. ... APPRECIATE MANNER YOUR APPROACH TO PROBLEM. (CIA Cable, OUT 75900, Fields to Leopoldville, 9/30/60.)

In this cable, Glenn Fields, Assistant Chief of the Africa Division, expressed a "HOPE ... FOR MODERATE HASTE" (CIA Cable OUT 75900, Fields to Leopoldville, 9/30/60.)

According to the report of the Chief of Station, Gottlieb left the Congo to return to headquarters on October 5 in view of the "EXPIRATION DATE HIS MATERIALS" (CIA Cable IN 24171, Leopoldville to Tweedy, 10/7/60). The "expiration" of Gottlieb's "materials" probably refers to the date beyond which the substances would no longer have lethal strength. Although the relation of the "expiration date" to Gottlieb's departure is unclear from the cables, it probably signifies that some of the biological substances had lost their toxicity. Nonetheless, the Chief of Station indicated that Gottlieb left some biological substances that were still lethal and that he intended to proceed with the assassination operation:

> [SID] LEFT CERTAIN ITEMS OF CONTINUING USEFULNESS. [CHIEF OF STATION] PLANS CONTINUE TRY IMPLEMENT OP. (CIA Cable IN 24171, Leopoldville to Tweedy, 10/7/60.)

By this point, Hedgman had conducted his "exploratory conversation" with the agent who was his best candidate for gaining access to Lumumba (Hedgman, 8/21/75, p. 60). Hedgman testified that the subject he "explored" was the agent's ability to find a means to inject poison into Lumumba's food or toothpaste (Hedgman, 8/21/75, p. 60):

> I believe that I queried the agent who had access to Lumumba, and his entourage, in detail about just what that access, what access he actually had, as opposed to speaking to people. In other words, did he have access to the bathroom, did he have access to the kitchen, things of that sort.
>
> I have a recollection of having queried him on that without specifying why I wanted to know this. (Hedgman, 8/21/75, p. 48.)

On October 7, the Chief of Station reported to headquarters on this meeting:

> CONDUCTED EXPLORATORY CONVERSATION WITH [AGENT] ... AFTER EXPLORING ALL POSSIBILITIES [AGENT] SUGGESTED SOLUTION RECOMMENDED BY HQS. ALTHOUGH DID NOT PICK UP BALL, BELIEVE HE PREPARED TAKE ANY ROLE NECESSARY WITHIN LIMITS SECURITY ACCOMPLISH OBJECTIVE.

Hedgman testified that his exploratory steps left him with doubts about the wisdom or practicality of the assassination plot:

> [C]ertainly I looked on it as a pretty wild scheme professionally. I did not think that it ... was practical professionally. Certainly ... to keep the U.S. out of it....
>
> I explored it, but I doubt that I ever really expected to carry it out. (Hedgman, 8/21/75, p. 111.)

However, his cables indicate that he was planning to continue to implement the operation and sought the resources to do it successfully. He urged headquarters to send him an alternate operative for the assassination mission in the event that they found his first choice unacceptable:

> IF HQS BELIEVE [AGENT'S CIRCUMSTANCES] BAR HIS PARTICIPATION, WISH STRESS NECESSITY PROVIDE STATION WITH QUALIFIED THIRD COUNTRY NATIONAL. (CIA Cable IN 24171, Leopoldville to Tweedy, 10/7/60.)

Tweedy cabled the Chief of Station the same day that he "HAD GOOD DISCUSSION YOUR COLLEAGUE 7 OCT" -- presumably referring to a de-briefing of Gottlieb upon his return to the United States. (CIA Cable OUT 78336, Tweedy to Leopoldville, 10/7/60.) Tweedy indicated that he was

> CONSIDERING DISPATCHING THIRD COUNTRY NATIONAL OPERATOR WHO, WHEN HE ARRIVES, SHOULD THEN BE ASSESSED BY YOU OVER PERIOD TO SEE WHETHER HE MIGHT PLAY ACTIVE OR CUTOUT ROLE ON FULL TIME BASIS. (CIA Cable OUT 78336, Tweedy to Chief of Station, 10/7/60.)

This expression of support for the operation was followed by an extraordinary pair of cables from headquarters on October 15, 1960. One of these cables was issued by a desk officer in CIA's Africa Division and released under Bronson Tweedy's signature, as Division Chief, and sent to Leopoldville through standard CIA channels, which would allow for distribution of the message to

appropriate personnel in the CIA station and the United States embassy. This cable ... generally discussed the possibility of covertly supplying certain Congolese leaders with funds and military aid (CIA Cable OUT 81476, Director to Leopoldville, 10/15/60). This cable also delimited the kind of action against Lumumba that would be authorized:

> ONLY DIRECT ACTION WE CAN NOW STAND BEHIND IS TO SUPPORT IMMOBILIZING OR ARRESTING [LUMUMBA], DESIRABLE AS MORE DEFINITIVE ACTION MIGHT BE. ANY ACTION TAKEN WOULD HAVE TO BE ENTIRELY CONGOLESE. (CIA Cable OUT 81476, Director to Leopoldville, 10/15/60.)

On the same day that this message was dispatched, a second cable was sent to Leopoldville. This cable was issued personally by Bronson Tweedy and sent in the special PROP channel for Hedgman's "EYES ONLY" (CIA Cable OUT 81396, Tweedy to Chief of Station, 10/15/60).

> YOU WILL NOTE FROM CABLE THROUGH NORMAL CHANNEL CURRENTLY BEING TRANSMITTED A PARA[GRAPH] ON PROP TYPE SUGGESTIONS. YOU WILL PROBABLY RECEIVE MORE ALONG THESE LINES AS STUMBLING BLOC [LUMUMBA] REPRESENTS INCREASINGLY APPARENT ALL STUDYING CONGO SITUATION CLOSELY AND HIS DISPOSITION SPONTANEOUSLY BECOMES NUMBER ONE CONSIDERATION.
>
> RAISE ABOVE SO YOU NOT CONFUSED BY ANY APPARENT DUPLICATION. THIS CHANNEL REMAINS FOR SPECIFIC PURPOSE YOU DISCUSSED WITH COLLEAGUE AND ALSO REMAINS HIGHEST PRIORITY. (CIA Cable OUT 81396, Tweedy to Chief of Station, 10/15/60).

Thus, Tweedy resolved the apparent duplication of cables by indicating that communications about the assassination mission were

restricted to the PROP channel and that the assassination mission was to move forward. He went on to request Hedgman's reaction to the prospect of sending a senior CIA case officer to the Congo on a "DIRECTED ASSIGNMENT ... TO CONCENTRATE ENTIRELY THIS ASPECT" (CIA Cable OUT 81396, Tweedy to Chief of Station, 10/15/60). This referred to CIA officer Justin O'Donnell, who testified that in late October he was asked by Richard Bissell to undertake the mission of assassinating Lumumba.*

In the course of suggesting the assignment of an additional officer to the Congo, the cable provided insight into the reason that the assassination mission had not progressed more rapidly under the Chief of Station:

> SEEMS TO US YOUR OTHER COMMITMENTS TOO HEAVY GIVE NECESSARY CONCENTRATION PROP. (CIA Cable OUT 81396, Tweedy to Chief of Station, 10/15/60.)

Again, in contradiction of the limitations on anti-Lumumba activity outlined in the cable sent through normal channels, Tweedy's cable also proposed a plan to kidnap Lumumba:

> POSSIBILITY USE COMMANDO TYPE GROUP FOR ABDUCTION [LUMUMBA], EITHER VIA ASSAULT ON HOUSE UP CLIFF FROM RIVER OR, MORE PROBABLY, IF [LUMUMBA] ATTEMPTS ANOTHER BREAKOUT INTO TOWN ... REQUEST YOUR VIEWS. (CIA Cable OUT 81396, Tweedy to Chief of Station, 10/15/60.)

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* For a full account of the meeting between Bissell and O'Donnell and O'Donnell's subsequent activities in the Congo, see Section 5(a), <u>infra</u>.

This series of cables sent during, and after Gottlieb's visit to the Congo demonstrated a clear intent at CIA headquarters to authorize and support rapid progress on the assassination mission. The cables also show an intent to severely restrict knowledge of the assassination operation among officers in CIA's Africa Division and among United States personnel in the Congo, including those who were aware of and involved in other covert activities.

(e) The Chief of Station Moves Forward With Assassination Plot

The testimony of the Chief of Station, taken fifteen years after the events in question and without benefit of review of the cables discussed above, was compatible with the picture derived from the cables of a fully authorized and tightly restricted assassination operation. Hedgman's testimony is at variance from the cables only with respect to the lack of vigor with which he claims to have pursued the assignment which he dealt with in an affirmative, aggressive manner in the cables.

(i) The Chief of Station Testified That He Requested and Received Confirmation of the Assassination Plan from Headquarters

Hedgman testified that, after receiving Gottlieb's instructions, he cabled CIA headquarters seeking confirmation that he was to carry out Gottlieb's instructions (Hedgman, 8/21/75, p. 36). Hedgman did not recall whether he identified Gottlieb by name, and he doubted that he "would have" mentioned the President in such a cable (Hedgman, 8/21/75, pp. 36, 43).

Hedgman described the extraordinary security precautions he took cabling his request for confirmation of the assassination instructions:

> There was some special channel ... because it was handled differently than any other normal message. For example, it was not put on a regular cable form, which, you know, you have several copies for your various files. And it was my recollection that I personally carried the message to the communicator to encrypt, and that was worded in a doublt-talk way that even the communicator would not necessarily know what it was about." (Hedgman, 8/21/75, pp. 42-43.)

This description approximates the PROP channel that was used for all cables relating to the assassination mission.

Hedgman testified that soon after cabling his request for confirmation that he was to carry out the assassination assignment, he received an affirmative reply from headquarters:

> I believe I received a reply which I interpreted to mean yes, that he was the messenger and his instructions were ... duly authorized. (Hedgman, 8/21/75, pp. 37-38.)

Despite the cryptic nature of the cables, Hedgman said "I was convinced that yes, it was right." (Hedgman, 8/21/75, pp. 44, 50.)

Hedgman did not recall receiving any indication, either from Gottlieb or by cable, that he was to await further authorization before using the poisons (Hedgman, 8/21/75, p. 38). Hedgman expressed some uncertainty about whether he "had an absolute free hand" to proceed with an assassination attempt without receiving "final confirmation" (Hedgman, 8/21/75, pp. 38, 47, 53).

Hedgman summarized his testimony on this question in his second appearance:

> I probably had authority to act on my own but ... it was possible that I had to go back and get clearance for my action. (Hedgman, 8/25/75, p. 11; see also 8/21/75, p. 39.)

Hedgman testified, however, that a "policy decision" had been made -- that assassination had been "approved" as "one means" of eliminating Lumumba as a political threat (Hedgman, 8/21/75, p. 52).

> I thought the policy decision had been made in the White House, not in the Agency, and that the Agency had been selected as the Executive Agent, if you will, to carry out a political decision. (Hedgman, 8/21/75, p. 52.)

Although Hedgman assumed that the President had not personally selected the means of assassination, he testified that he was under the impression that the President had authorized the CIA to do so and to proceed to take action:

> Hedgman: ... I doubt that I thought the President had said, you use this system. But my understanding is the President had made a decision that an act should take place, but then put that into the hands of the Agency to carry out his decision.
>
> Q: Whatever that act was to be, it was clearly to be assassination or the death of the foreign political leader?
>
> Hedgman: Yes.
>
> Q: Instigated by the CIA, initiated by the CIA?
>
> Hedgman: Certainly if those -- if Dr. Gottlieb's lethal agents were employed, that would have been the result, yes. (Hedgman, 8/21/75, p. 104.)

Nonetheless, Hedgman said he had no "desire to carry out these instructions" (Hedgman, 8/21/75, p. 106). Whether or not he felt there was authority to attempt an assassination without seeking final confirmation, he said that he would have checked with headquarters before taking action:

> I think probably that I would have gone back and advised that I intended to carry out and sought final approval before carrying it out had I been going to do it, had there been a way to do it. I did not see it as ... a matter which could be accomplished practically, certainly. (Hedgman, 8/21/75, pp. 51-52.)

He proceeded to affirm that his reason for seeking a final approval would have been to receive assurances about the practicality of the specific mode of assassination that he planned to use (Hedgman, 8/21/75, p. 53).

(ii) <u>The Chief of Station Took "Exploratory Steps" in Furtherance of the Assassination Plot and Testified That He Destroyed Cable Traffic Related to the Plot</u>

Hedgman testified that after Gottlieb's visit, he locked the lethal substances in the bottom drawer of his safe, "probably" sealed in an envelope marked "Eyes Only" with his name on it (Hedgman, 8/21/75, pp. 48-49). He said that his secretary was the only other person with access to the safe and that she would not have examined a package marked in this fashion (Hedgman, 8/21/75, p. 49).

Hedgman testified that it was "possible" that he preserved the poisons in his safe until after Lumumba's death; at any

rate, they were not disposed of before Lumumba was "successfully neutralized" by being captured and imprisoned by the Congolese government (Hedgman, 8/21/75, pp. 85-86) at the beginning of December, 1960. Hedgman said that he does not recall taking the poisons out of his safe on any occasion other than when he disposed of them on the banks of the Congo River:

> I think that I took them out probably in a briefcase, or an air bag of some sort, and I believe that the things like the rubber gloves and the mask were thrown away in a bushy area or something where, you know, if they were found, it didn't matter that much. I believe I buried the other matters. (Hedgman, 8/21/75, p. 84.)

Hedgman testified, however, that in the intervening months, while the poisons were in his safe, he took "exploratory steps" in furtherance of the assassination plot (Hedgman, 8/21/75, p. 60). He said that he sent several cables to CIA headquarters, after his request for confirmation of the assassination instructions, which "probably reflected further steps I had taken" (Hedgman, 8/21/75, pp. 59-60).

Hedgman stated that his cables to headquarters on this matter were essentially "progress reports" on his attempts to find a means of access to Lumumba (Hedgman, 8/21/75, p. 50). He also said that he "would bet on the fact that there was at least one or two more [cables] back" to him from CIA headquarters in response (Hedgman, 8/21/75, p. 50).

The cable traffic conforms to Hedgman's recollection. For two months after Gottlieb's arrival in the Congo, a regular stream of messages flowed between the Leopoldville Chief of Station and headquarters through the PROP channel. In late September and early October the cables concerned the initiation of Hedgman's top priority plan -- recruiting the aid of a particular agent thought to have sufficient access to Lumumba's entourage to be able to poison Lumumba.* In mid-October, Tweedy notified the Chief of Station that the assassination mission remained "HIGHEST PRIORITY", and he suggested sending additional personnel to Leopoldville to intensify "CONCENTRATION" on this operation (CIA Cable OUT 81396, Tweedy to Chief of Station, 10/15/60).**

These cables were followed by Hedgman's report to Tweedy on October 17 that the agent he had picked for the assassination mission

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* CIA Cable IN 18989, Chief of Station to Tweedy, 9/27/60; CIA Cable IN 20857, Chief of Station to Tweedy, 9/30/60; CIA Cable OUT 75900, Fields to Chief of Station, 9/30/60; CIA Cable IN 24171, Chief of Station to Tweedy, 10/7/60. See Section ____, supra, for full treatment of these cables.

** See Section ____, supra, for more complete text of this cable.

> HAS NOT BEEN ABLE PENETRATE ENTOURAGE. THUS HE HAS NOT BEEN ABLE PROVIDE OPS INTEL NEEDED THIS JOB. (CIA Cable IN 28936, Chief of Station to Tweedy, 10/17/60.)

Hedgman testified that this operative left Leopoldville "sometime in October" which terminated their discussions about gaining access to Lumumba for the purpose of assassinating him (Hedgman, 8/21/75, p. 61). The Chief of Station continued to communicate with headquarters about finding a means to move forward with the assassination operation and securing the necessary manpower to do so.

Hedgman confirmed Tweedy's view that although the assassination operation was still his highest priority, he was overburdened with responsibility for other operations so that he could not concentrate on the progress of the assassination mission:

> ALTHOUGH MAINTAINING PRIORITY INTEREST THIS OP, ABLE DEVOTE ONLY LIMITED AMOUNT TIME, VIEW MULTIPLE OPS COMMITMENTS. (CIA Cable, IN 28936, 10/17/60.)

Due to his workload, the Chief of Station responded enthusiastically to Tweedy's suggestion of an additional case officer:

> BELIEVE EARLY ASSIGNMENT SENIOR CASE OFFICER HANDLE PROP OPS EXCELLENT IDEA ... IF CASE OFFICER AVAILABLE [CHIEF OF STATION] WOULD DEVOTE AS MUCH TIME AS POSSIBLE TO ASSISTING AND DIRECTING HIS EFFORTS. (CIA Cable IN 28936, 10/17/60.)

The Chief of Station concluded this cable with the following cryptic recommendation, reminiscent of his testimony that he may have "suggested" shooting Lumumba to Gottlieb as an alternative to poisoning (Hedgman, 8/21/75, pp. 27-29):

> IF CASE OFFICER SENT, RECOMMEND HQS POUCH SOONEST HIGH POWERED FOREIGN MAKE RIFLE WITH TELESCOPIC SCOPE AND SILENCER. HUNTING GOOD HERE WHEN LIGHTS RIGHT. HOWEVER AS HUNTING RIFLES NOW FORBIDDEN, WOULD KEEP RIFLE IN OFFICE PENDING OPENING OF HUNTING SEASON. (CIA Cable IN 28936, 10/17/60.)

The first sentence of Hedgman's recommendation clearly refers to sending a sniper rifle to the Congo via diplomatic pouch. The rest of the message is probably an oblique reference to the possibility of shooting Lumumba at the "OPENING OF HUNTING SEASON" -- in other words, at the first opportunity to find Lumumba outside the residence where he remained in UN protective custody. This interpretation is bolstered by a report sent the next month by the Chief of Station through the PROP channel for Tweedy's "EYES ALONE." Hedgman's cable described the stalemate which prevailed from mid-September until Lumumba's departure for Stanleyville on November 27; Lumumba was virtually a prisoner in UN custody, but inaccessible to CIA agents and the Congolese:

> TARGET HAS NOT LEFT BUILDING IN SEVERAL WEEKS. HOUSE GUARDED DAY AND NIGHT BY CONGOLESE AND UN TROOP.... CONGOLESE TROOPS ARE THERE TO PREVENT TARGET'S ESCAPE AND TO ARREST HIM IF HE ATTEMPTS. UN TROOPS THERE TO PREVENT STORMING OF PALACE BY CONGOLESE. CONCENTRIC RINGS OF DEFENSE MAKE ESTABLISHMENT OF OBSERVATION POST IMPOSSIBLE. ATTEMPTING GET

> COVERAGE OF ANY MOVEMENT INTO OR OUT OF HOUSE BY CONGOLESE.... TARGET HAS DISMISSED MOST OF SERVANTS SO ENTRY THIS MEANS SEEMS REMOTE. (CIA Cable IN 42478, Chief of Station to Tweedy.)

Hedgman testified that all of his cable traffic about the assassination question would have been sent with the same extraordinarily stringent security precautions -- presumably referring to the PROP channel -- which concerned Gottlieb's visit and the confirmation of authorization for his instructions:

> I would have sent in a special channel anything dealing with Lumumba, at least that would touch upon his removal in one way or another. (Hedgman, 8/21/75, p. 62.)

The Chief of Station also testified that sometime before leaving the Station, he destroyed all cable traffic relating to the assassination mission (Hedgman, 8/21/75, p. 89). Hedgman's best recollection was that he had received instructions to destroy those cables (Hedgman, 8/21/75, p. 96). Hedgman said he had never before in his tenure as Chief of Station in the Congo destroyed cable traffic because of its sensitivity (Hedgman, 8/21/75, p. 91). But he stated that the cables relating to assassination were destroyed because of their extremely sensitive nature.* He said

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* It is possible that copies of cables dealing with such a sensitive operation were also destroyed at CIA headquarters.

that eventually

> I destroyed a great deal of traffic, because the Congo was a highly sensitive area in which -- at one period I recall we had all of our files in the burn barrels. I mean, when you wanted a file, you went over and dug it out of the burn barrell. (Hedgman, 8/21/75, p. 91.)

At the conclusion of his testimony about the assassination plot, the Chief of Station was asked to give a general characterization of the advisability of the plot and the tenor of the times in which it took place. His response indicated that although he was willing to carry out what he considered a duly authorized order, he was not convinced of the necessity of assassinating Lumumba:

> I looked upon the Agency as an executive arm of the Presidency.... Therefore, I suppose I thought that it was an order issued in due form from an authorized authority.
>
> On the other hand, I looked at it as a kind of operation that I could do without, that I thought that probably the Agency and the U.S. government could get along without. I didn't regard Lumumba as the kind of person who was going to bring on World War III or something.
>
> I might have had a somewhat different attitude if I thought that one man could bring on World War III and result in the deaths of millions of people or something, but I didn't see him in that light. I saw him as a danger to the political position of the United States in Africa, but nothing more than that. (Hedgman, 8/21/75, pp. 110-111.)

(f) Testimony of Bissell and Tweedy About the Degree of Support for and Perpetration of the Assassination Plot

There is a great variance between the testimony of Richard Bissell and Bronson Tweedy and the picture of the assassination plot presented by the Chief of Station and the cable traffic from the period. While the weight of the evidence demonstrates that the assassination effort was the "highest priority" at CIA headquarters among operations in the Congo, Bissell has no direct recollection of Gottlieb's mission to the Congo and Tweedy can recall nothing more than consideration of the feasibility of an assassination attempt.

(i) Tweedy Had No Recollection of the Operation To Poison Lumumba

As Chief of the Africa Division, Bronson Tweedy was the principal liaison at CIA headquarters with the Chief of Station in Leopoldville for all instructions, plans, and progress reports concerning the effort to assassinate Lumumba, which were communicated through the special PROP channel. Most of the reports and recommendations cabled to headquarters by the Chief of Station on the assassination operation were marked for Tweedy's "Eyes Only."

Tweedy personally signed both the cable which initially informed the Chief of Station that "SID" would arrive in Leopoldville, with an assignment (CIA Cable OUT 71464, Bissell/Tweedy to Chief of

Station, 9/19/60) and the cable of October 7 indicating that he had debriefed Gottlieb upon his return from the Congo (CIA Cable OUT 78336, Tweedy to Chief of Station, 10/7/60). Tweedy was also the "Eyes Only" recipient of Hedgman's reports on Gottlieb's arrival in the Congo (CIA Cable IN 18989, Chief of Station to Tweedy, 9/27/60) and the subsequent communications about the plan which emerged from the discussions between Gottlieb and Hedgman as the top priority -- infiltration of an agent into Lumumba's entourage to administer a lethal poison to the Congolese leader (CIA Cable IN 20857, Chief of Station to Tweedy, 9/30/60; CIA Cable, Chief of Station to Tweedy, 10/7/60; CIA Cable, Chief of Station to Tweedy, 10/17/60).

Tweedy testified, however, without benefit of reviewing these cables, that he had no knowledge of the plot to poison Lumumba:

> Q. Do you have any knowledge of a messenger from CIA headquarters having to go to the Congo to provide the Chief of Station in the Congo with instructions to carry out the assassination of Lumumba, if possible, and also provide him with the tools to carry out such an assassination, namely, poisons and medical equipment for administering them?
>
> Mr. Tweedy. No, I do not. (Tweedy, 9/9/75, pp. 30-31)

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* See Sections 4(a) - 4(e) for full treatment of the cables sent in the PROP channel between Tweedy and the Chief of Station in Leopoldville.

When asked his opinion about the truth of the testimony received by the Committee that poisons were delivered to the Congo by Gottlieb, who carried instructions that they were to be used in the assassination of Lumumba, Tweedy replied:

> There is nothing in my experience with the Agency which would really bear on that point whatsoever. (Tweedy, 9/9, pp. 39-39)

Tweedy added that if Gottlieb went to the Congo as a courier, "I will bet I knew it, but I don't recall it" (Tweedy, 9/9, p. 35). Tweedy testified that it was "perfectly possible" for lethal biological substances to have been sent to the Congo, "but I don't recall it" (Tweedy, 9/9, p. 30).

In response to a question about whether he knew about a cable from headquarters informing Hedgman that a messenger was to come to the Congo with instructions for him, Tweedy said that he would be "very surprised if I didn't [know], but I certainly have no recollection of it whatsoever (Tweedy, 9/9, p. 31).

Tweedy said that he "was not going to gainsay" the testimony of the Chief of Station that a cable was sent to headquarters through a special channel requesting confirmation that the instructions were to be carried out but he did not recall it (Tweedy, 9/9, pp. 32-33).

Tweedy commented that rather than questioning the truth of the testimony of the Chief of Station,* the discrepancies in their

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* Tweedy expressed a high regard for the general credibility of the Chief of Station. Tweedy said that he never had occasion to doubt Hedgman's veracity or integrity, adding, "I would trust his memory and I certainly trust his integrity." (Tweedy, 9/9, p. 36)

testimony could be attributed to his own lack of recall:

> I really am having trouble with this. I had to be reminded of so many things. . .[T]he things that I recall the most vividly about all my African experiences were. . . the things I was basically concerned with all the time, which was putting this division together and the rest of it. When it comes to operational detail I start fuzzy and you would have thought with something like thinking about Mr. Lumumba in these terms, that I would have gone to bed and got up thinking about Lumumba, I can assure you this wasn't the case. (Tweedy, 9/9, p. 34)

Tweedy was firm, however, in his disbelief that "Gottlieb would have left instructions with the Chief of Station which would have empowered [him]. . . to go out and assassinate Lumumba, without any further recourse or reference to headquarters" (Tweedy, 9/9, pp. 32, 36). Tweedy said:

> In such a matter of this kind, headquarters would have wanted to have a last word up to the last minute. (Tweedy, 9/9, p. 36)

(ii) <u>Tweedy Testified That He Discussed With Bissell the Feasibility of Assassinating Lumumba and He Cabled Hedgman About Gaining Access to Lumumba For the Purpose of Assassination</u>

Despite Tweedy's lack of recollection about the actual plot to poison Lumumba, he did recall exploring the feasibility of an assassination attempt.

Tweedy testified that he had discussed the subject of assassinating Lumumba "more than once" with Richard Bissell in the fall of 1960 (Tweedy, 9/9, pp. 14-15). Tweedy stated that he did not know

whether Bissell had consulted with any "higher authority" about exploring the possibilities for assassinating Lumumba (Tweedy, 9/9, p. 28). Generally, Tweedy said, when he received an instruction from Bissell he would proceed to implement it on the assumption that it was fully authorized above the level of DDP:

> I would proceed with it on the basis that he was authorized to give me instructions and it was up to him to bloody well know what he was empowered to tell me to do. (Tweedy, 9/9, p.13)

Tweedy characterized his discussions with Bissell about assassinating Lumumba as "contingency planning" (Tweedy, 9/9/75, p. 28):

> Tweedy. . . . I think it came up in the sense that Dick would have said we probably better be thinking about whether it might ever be necessary or desirable to get rid of Lumumba, in which case we presumably should be in position to assess whether we could do it or not successfully.
>
> Q. Do it, meaning carry off an assassination?
>
> Tweedy. Yes, but it was never discussed with him in any other sense but a planning exercise, . . . never were we instructed to do anything of this kind. We were instructed to ask whether such a thing would be feasible and to have the Chief of Station be thinking along those lines as well. (Tweedy, 9/9, p. 15)

Tweedy said that the planning that he undertook pursuant to his conversation with Bissell included "a few" cables that he remembers sending to the Chief of Station asking him

> to keep in mind what sort of access one might ever have had to Lumumba. . . [in] the eventuality that we might wish to get rid of Mr. Lumumba personally. (Tweedy, 9/9, pp. 19-21)

Tweedy did not recall inquiring about gaining access to Lumumba for the purpose of abducting him from UN custody (Tweedy, 9/9, p. 24); rather he "supposed" that various means of assassination were being explored:

> Q. Would this be access to shoot him or would this be access to his personal food or drink or toiletries?
>
> Tweedy. I suppose all those types of things might have been considered. (Tweedy, 9/9, p. 23)
>
> Q. In your discussions with Bissell, about the feasibility of an assassination operation, did poisons come up as one means that was being considered and which the Chief of Station should explore?
>
> Tweedy. I am sure it must have. After all, there are not many ways of doing it. Shoot a man, poison him, of course you could, I suppose, stab him or something like that. But basically you are talking about a contingency plan which I assume has the best possibility of protecting the involvement of the U.S. Government and if you want to do it in a manner which would be as distant, if that is the right word, as possible, I think poison would then stand high on the list of possibilities.

Tweedy did not "recall specifically" the response from the Chief of Station, but said he was "sure" that he received "a serious answer. . . a disciplined reply to an instruction from headquarters" (Tweedy, 9/9, pp. 23,27).

Although Tweedy did not recall sending or receiving cables in a special channel concerning the "messenger" to the Congo or confirmation of his instructions, he acknowledged that the cables exploring access to Lumumba for the purpose of assassination would have been

sent in a channel that was even more closely restricted than the normal CIA cable traffic (Tweedy, 9/9, pp. 22, 32-33). Tweedy said destruction of such cable traffic would have been left to the discretion of the Chief of Station and he did not know whether Hedgman destroyed the Station's copies (Tweedy, 9/9, p. 22).

Tweedy said "I would be surprised if I didn't" have a conversation with Sidney Gottlieb about "anything in his inventory that could possibly be used, including lethal biological substances (Tweedy, 9/9, pp. 68-69). Tweedy "suspected" that "the first conversation along these lines would undoubtedly have been held between Dick Bissell and Sidney Gottlieb," which Tweedy then would have "followed-up" (Tweedy, 9/9, p. 69).

Tweedy maintained that the period in which he explored the means of access for assassinating Lumumba remained "a planning interval and at no point can I recall that I ever felt it was imminent that somebody would say 'go'" (Tweedy, 9/9. pp. 18-19):

> Tweedy. It was always my assumption that at the time anything like this should occur there would have been some kind of real focus on the problem at probably a very considerable policy level within the Agency. . . and it never occurred to me that I would get a call or Bissell would ask me to come down to his office and sya go to it. Nor were we ever in a position where he said that I would merely implement plan so-and-so. We never got that far.
>
> Q. You didn't have any action plans for the assassination of Lumumba that you had prepared or were aware of?

> Tweedy. No. Planning, yes, but nothing that ever got anywhere. (Tweedy, 9/9, p. 19)

It is difficult to reconcile the cable traffic with Tweedy's testimony that no action plans were launched and that no authorization for implementing the assassination operation, authorization for Hedgman's approach to his agent to explore access to Lumumba's entourage is in accord with Tweedy's description of his inquiries about gaining access to Lumumba.

However, the fact that Tweedy was personnaly informed that the Chief of Station "PLANS CONTINUE TRY IMPLEMENT OP" (CIA Cable IN 24171, Chief of Station to Tweedy, 10/7/60) is harder to reconcile with his statements that a "go ahead" on the operation was never imminent, especially in light of Tweedy's PROP cable the next week which told the Chief of Station that Lumumba's

> DISPOSITION SPONTANEOUSLY BECOMES NUMBER ONE CONSIDERATION. . . THIS CHANNEL REMAINS FOR SPECIFIC PURPOSE YOU DISCUSSED WITH COLLEAGUE AND ALSO REMAINS HIGHEST PRIORITY (CIA Cable OUT 81396, Tweedy to Chief of Station, 10/15/60)

(iii) Bissell Testified That He Did Not Recall Whether The Assassination Operation Had Moved From Planning To Implementation But It Was Not Against Agency Policy to Send Poisons to The Congo

Richard Bissell testified that he did not remember discussing the feasibility of assassinating Lumumba with Bronson Tweedy, but it seemed "entirely probable" to him that such discussions took place (Bissell, 9/10, pp. 3-4).

Bissell said he "may have" given Tweedy specific instructions about steps he was to take to further an assassination plan, but he did not remember to do so (Bissell, 9/10,p.4). Bissell said that exploring access to Lumumba --"almost certainly" seeking information from the Chief of Station about access for poisoning -- would have been a "key part" of his "planning and preparatory activity" but he had no specific recollection of cable communications on this subject (Bissell, 9/10, pp. 6-8). Bissell remembered that he was aware that the Chief of Station had an agent thought to have direct access to Lumumba (Bissell, 9/10, p. 80).

Bissell testified that he "most certainly" approved any cables that Tweedy sent to the Chief of Station seeking information about gaining access to Lumumba but it was so sensitive a matter (Bissell, 9/10, p. 8) Bissell added:

> I think Mr. Tweedy, on the basis of an oral authorization from me, would have had the authority to send such a cable without my signing off on it. (Bissell, 9/10, p. 8)

Bissell believed that Tweedy would have known of Gottlieb's trip to the Congo, although it was possible that Tweedy was "cut out of knowledge of the specific operation" (Bissell, 9/10, p. 21). Bissell's lack of recollection of discussing his assignment to Justin O'Donnell* with Tweedy was the reason for his speculation that

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* Bissell's assignment to O'Donnell is discussed in Sections 5(a) (i) and 5(a)(ii), <u>infra</u>.

Tweedy might have been unaware of the true purpose of Gottlieb's visit (Bissell, 9/10, pp. 20-22).

Bissell did not recall cables concerning the dispatch of a messenger and subsequently confirming that his instructions were to be followed, but he said "This sounds highly likely. . . I would expect, given the background, that the confirmation would have been forthcoming" (Bissell, 9/10, p. 43).

It was "very probable," according to Bissell, that he discussed the assassination of Lumumba with Sidney Gottlieb, who was then his Science Advisor (Bissell, 9/10, p. 14). Bissell said that on a number of occasions he discussed with Gottlieb "the availability of means of incapacitation, including assassination" (Bissell, 9/10, p. 60).

Although he had no "specific recollection," Bissell assumed that, if Gottlieb went to the Congo, he had approved the mission, (which "might very well" have dealt with the assassination of Lumumba) (Bissell, 9/10, pp. 18, 20, 44). Despite his absence of specific recollection of these events, Bissell said, "There is nothing in mind that I remember that would be in conflict" with the testimony of the Chief of Station that Gottlieb carried poisons to the Congo (Bissell, 9/10, p. 35).

Bissell testified that it would not have been against CIA policy in the fall of 1960 to send poisons to the Congo (Bissell, 9/10, p. 35).

He classified "the act of taking the kit to the Congo. . . as still in the planning stage" (Bissell, 9/10, p. 49). Bissell acknowledged, however, that the dispatch of poisons and paraphernalia with which to administer them was an extraordinary event:

> It would indeed have been rather unusual to send such materials -- a specific kit. . . of this sort -- out to a relatively small station, unless planning for their use were quite far along. (Bissell, 9/10, p. 37).

Nonetheless, Bissell said that he "probably believed" that he had sufficient authority at that point to direct CIA officers to move from the stage of planning to implementation (Bissell, 9/10, pp. 60-61). In light of his absence of a specific recollection of these events, he stated that "if it be taken as established that Mr. Gottlieb took specific instructions 'to implement,' " Gottlieb would not have been acting beyond the mandate given to him by Bissell and it would show that the assassination plot "had then passed into an implementation phase" and that "authorization was given" (Bissell, 9/10/ pp. 39, 41, 49).

5. The Question of a Connection Between the Assassination Plot and Other Actions of CIA Officers and Operatives in the Congo

Justin O'Donnell, a senior CIA officer in the clandestine operations division in 1960, testified that during this period he had been asked by DDP Richard Bissell to go to the Congo to carry out the assassination of Lumumba (O'Donnell, 6/9/75, pp. 11-12). O'Donnell said that he refused to participate in an assassination operation, but proceeded to the Congo to attempt to draw Lumumba away from the protective custody of the UN guard and place him in the hands of Congolese authorities (O'Donnell, 6/9/75, pp. 13-14).

Shortly after O'Donnell's arrival in the Congo he was joined by a CIA agent with a criminal background who was used the following year by the CIA as part of a program to develop a stand-by assassination capability. Late in 1960, one of the operatives of the Chief of Station in Leopoldville approached this agent of O'Donnell's with a proposition to join an "execution squad" (CIA Cable IN 18739, Leopoldville to Director, 12/7/60).

Despite the fact that O'Donnell was initially approached to be part of the plot to assassinate Patrice Lumumba, it is unlikely that O'Donnell was actually involved in the implementation of that plot by the Chief of Station. Whether there is any connection between the assassination plot and either of the two operatives -- QJWIN and WIROGUE -- is less clear.

(a) O'Donnell's Operations in the Congo

(i) Tweedy and the Chief of Station Agreed That a Senior Case Officer Should be Sent to the Congo to Concentrate on the Assassination Operation

In early October, 1960, several cables sent in the specially restricted PROP channel dealt with a plan to send a "senior case officer" to the Congo to aid the Chief of Station with the assassination operation.* On October 7, Bronson Tweedy informed Hedgman that he "WOULD EXPECT DISPATCH TDY [TEMPORARY DUTY] SENIOR CASE OFFICER RUN THIS OP" by supervising a third country national operative (CIA Cable OUT 78336, Tweedy to Chief of Station, 10/7/60). On October 15, Tweedy requested Hedgman's reaction to the suggestion of dispatching the senior case officer as soon as possible to concentrate on the assassination operation (CIA Cable OUT 81396, Tweedy to Chief of Station, 10/15/60). Two days later, the Chief of Station replied affirmatively:

> BELIEVE EARLY ASSIGNMENT SENIOR CASE OFFICER HANDLE PROP OPS EXCELLENT IDEA. (CIA Cable IN 28936, Chief of Station to Tweedy).

The Chief of Station advised that his responsibilities for "MULTIPLE OPS" had restricted the amount of time he was able to devote to the assassination operation (CIA Cable, 10/17/60).

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* See Section 4(e), supra, for full treatment of these cables.

(ii) Bissell Discussed Assassination of Lumumba With O'Donnell and Sent Him to Congo: October-November 1960

Probably shortly after the Chief of Station's cable of October 17 requesting the assignment of a senior case officer to concentrate on the assassination operation, Richard Bissell broached the subject with CIA officer Justin O'Donnell.

At that time, O'Donnell was the Deputy Chief of a component of the Directorate of Plans -- the CIA's covert action arm O'Donnell, 6/9/75, p. 8).

Justin O'Donnell testified that in October of 1960, he was asked by Richard Bissell to undertake the mission of assassinating Patrice Lumumba (O'Donnell, 6/9/75, pp. 11-12; 9/11/75, pp. 19, 43):

> O'Donnell: He called me in and he told me he wanted to go down to the Belgian Congo, the former Belgian Congo, and to eliminate Lumumba . . . .
>
> Q: What did you understand him to mean by eliminate?
>
> O'Donnell: To kill him and thereby eliminate his influence.
>
> Q: What was the basis for your interpreting his remarks, whatever his precise language, as meaning that he was talking about assassination rather than merely neutralizing him through some other means?
>
> O'Donnell: It was not neutralization . . . Clearly the context of our talk was to kill him. (O'Donnell, 6/9/75, pp. 11-12.)

O'Donnell reacted strongly to Bissell's instruction:

> I told him that I would absolutely not have any part of killing Lumumba. He said, I want you to go over and talk to Sidney Gottlieb. (O'Donnell, 6/9/75, p. 12.)

Gottlieb was a CIA scientist who was at that time the Science Advisor to Bissell (Bissell, 9/10/75, p. 14).

O'Donnell said it was "inconceivable that Bissell would direct such a mission without the personal permission of Allen Dulles" (O'Donnell, 9/11/75, p. 44). But the question of authorization was never raised by Bissell:

> I assumed that he had authority from Mr. Dulles in such an important issue, but it was not discussed, nor did he purport to have higher authority to do it. (O'Donnell, 6/9/75, p. 15.)

O'Donnell promptly met with Gottlieb and testified that he was "sure that Mr. Bissell had called Gottlieb and told him I was coming over" (O'Donnell, 6/9/75, p. 13; 9/11/75, p. 7). O'Donnell said that Gottlieb told him "that there were four or five ... lethal means of disposing of Lumumba" (O'Donnell, 6/9/75, p. 13). O'Donnell recalled that "one of the methods was a virus and the others included poison" (O'Donnell, 6/9/75, p. 12; 9/11/75, p. 7). O'Donnell said that Gottlieb "didn't even hint ... that he had been in the Congo and that he had transported any lethal agent to the Congo" (O'Donnell, 9/11/75, p. 7-A).

After speaking with Gottlieb, O'Donnell said:

> I then left his office, and I went back to Mr. Bissell's office and I told him in no way would I have any part in the assassination of Lumumba ... and reasserted in absolute terms that I would not be involved in a murder attempt. (O'Donnell, 9/11/75, p. 43.)

O'Donnell said that in one of his two conversations with Bissell about Lumumba, he raised the prospect "that conspiracy to commit murder being done in the District of Columbia might be in violation of federal law" (O'Donnell, 6/9/75, p. 14). He said that Bissell "airily dismissed" this prospect (O'Donnell, 6/9/75, p. 14).

Despite his refusal to participate in assassination, O'Donnell agreed to go to the Congo on a general mission to "neutralize" Lumumba "as a political factor" (O'Donnell, 9/11/75, pp. 43-44):

> I said I would go down and I would have no compunction about operating to draw Lumumba out [of UN custody], to run an operation to neutralize his operations which were against Western interests, against, I thought, American interests. (O'Donnell, 6/9/75, p. 13.)

O'Donnell added that his objective was to

> neutralize Lumumba's influence ... and his activities against [a Congolese leader], whom at that time you might say was our close instrument, he was the man we had put our chips on. (O'Donnell, 9/11/75, p. 20.)

Bissell also recalled that, after their discussions about assassination, O'Donnell went to the Congo "with the assignment ... of looking at other ways of neutralizing Lumumba" (Bissell, 9/10/75, p. 53).

Although O'Donnell did not formulate a precise plan until he reached the Congo, he discussed a general strategy with Bissell:

> Mr. O'Donnell: I told Mr. Bissell that I would be willing to go down to neutralize his activities and operations and try to bring him out [of UN custody] and turn him over to the Congolese authorities, that is correct.
>
> Senator Mondale: Was it discussed then that his life might be taken by the Congolese authorities?
>
> Mr. O'Donnell: It was, I think, considered in the -- not to have him killed, but then it would have been a Congolese being judged by Congolese for Congolese crimes. Yes, I think it was discussed. (O'Donnell, 6/9/75, p. 38.)

There was a "very, very high probability" that Lumumba would receive capital punishment at the hands of the Congolese authorities, according to O'Donnell (O'Donnell, 9/11/75, p. 24). But O'Donnell "had no compunction about bringing him out and then having him tried by a jury of his peers" (O'Donnell, 6/9/75, p. 14).

Although O'Donnell had expressed his aversion to assassination to Bissell and had undertaken a more general mission to "neutralize" Lumumba's influence, it was clear to him that Bissell was still interested in the assassination of Lumumba:

> in leaving at the conclusion of our second discussion ... he said, well, I wouldn't rule out that possibility -- meaning the possibility of the elimination or the killing of Lumumba -- I wouldn't rule it. In other words, even though you have said this, don't rule it out.... There is no question about it, he said, I wouldn't rule this other out, meaning the elimination or the assassination (O'Donnell, 9/11/75, p. 45).

O'Donnell had a distinctive recollection that after his second discussion of Lumumba with Bissell, he met with Richard Helms in order

to make his opposition to assassinating Lumumba a matter of record (O'Donnell, 9/11/75, pp. 44-45):

> [I]n the Agency, since you don't have documents, you have to be awfully canny and you have to get things on record, and I went into Mr. Helms' office, and I said, Dick, here is what Mr. Bissell proposed to me, and I told him that I would under no conditions do it, and Helms said you're absolutely right. (O'Donnell, 6/9/75, pp. 15-16).

Richard Helms testified that it was "likely" that he had such a conversation with O'Donnell and he assumed that O'Donnell's version of their conversation was correct (Helms, 9/16/75, pp. 22-23).*

William Harvey testified that O'Donnell had informed him about the conversations with Bissell:

> Mr. O'Donnell came to me and said that he had been approached by Richard Bissell ... to undertake an operation in the Congo, one of the objectives of which was the elimination of Patrice Lumumba. He also told me that he had declined to undertake this assignment. (Harvey, 6/25/75, p. 9.)

Harvey said that in a later conversation with Bissell, Bissell told him that he had asked O'Donnell to undertake such an operation (Harvey, 6/25/75, p. 9).

O'Donnell said that within forty-eight hours of his second discussion with Bissell, he departed for the Congo (O'Donnell, 9/11/75, pp. 45-46).

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* Helms testified that he did not follow-up on this conversation in any way. He did not recall why O'Donnell had gone to the Congo or what his mission was (Helms, 9/16/75, pp. 32-33).

(iii) Bissell Testified That he Asked O'Donnell to Plan and Prepare for an Assassination Operation

Bissell remembered "very clearly" that he and O'Donnell discussed the assassination of Lumumba in the fall of 1960 (Bissell, 6/9/75, p. 75) and that O'Donnell reacted negatively (Bissell, 9/11/75, p. 18). According to Bissell, O'Donnell said that he thought that assassination "was an inappropriate action and that the desired object could be accomplished better in other ways" (Bissell, 6/11/75, p. 54).

Bissell also confirmed the fact that he had asked O'Donnell to see Sidney Gottlieb (Bissell, 9/10/75, p. 44).

Bissell differs with O'Donnell's account on only one important point -- the degree to which Bissell's initial assignment to O'Donnell contemplated the mounting of an operation as opposed to contingency planning. O'Donnell flatly testified that Bissell requested him to attempt to kill Lumumba. In his first testimony on the subject, Bissell said that he asked O'Donnell "to investigate the possibility of killing Lumumba" (Bissell, 6/11/75, p. 54; see also pp. 55, 75). In a later appearance, however, Bissell stated that O'Donnell "had been asked to plan and prepare for" the assassination of Lumumba (Bissell, 9/10/75, p. 24).

Bissell said that after his conversations with O'Donnell, he felt that it would be necessary to "postpone" the assassination operation because, "given O'Donnell's reaction, there was a risk

that the planning of such an operation would be blown" (Bissell, 9/10/75, p. 25). Despite his impression that he might have de-activated assassination operations against Lumumba at that time, Bissell could not preclude the possibility that the Hedgman/Gobblieb poison plot continued to move foward:

> [T]his had been in my mind a very sensitive assignment to him, limited -- with the knowledge of it limited very narrowly even within the Agency. And it is difficult to separate recollection from inference on occasion. But I seem to recollect that after this conversation with him, I wanted this put very much on the back burner and inactivated for quite some time. Now that doesn't rule out the possibility that some action through completely different channels might have gone forward. But the best of my recollection is, I viewed this not only as terminating the assignment for him, but also as reason for at least postponing anything further along that line. (Bissell, 9/10/75, pp. 25-26).

In Tweedy's mind, O'Donnell's eventual mission to the Congo was linked to assessing the possibility for assassinating Lumumba rather than to a general plan to draw Lumumba out of UN custody (Tweedy, 9/9/75, p. 26).

(iv) <u>O'Donnell Arrived in the Congo and Learned That a Virus Was in the Station Safe</u>

On October 29, the Chief of Station was informed through the PROP channel that Justin O'Donnell was soon to arrive in Leopoldville "IN FURTHERANCE THIS PROJECT" (CIA Cable OUT 86798, Fields to Chief of Station, 10/29/60). On November 3, O'Donnell arrived

in Leopoldville (CIA Cable IN 38052, Leopoldville to Director, 11/4/60). Chief of Station Hedgman testified that he had been made aware by cable that O'Donnell was coming to the Congo (Hedgman, 8/21/75, p. 40). Hedgman said it was "very possible" that as a new Chief of Station he took the dispatch to the Congo of a senior officer like O'Donnell as a signal that CIA headquarters was "dissatisfied with my handling" of Gottlieb's instructions (Hedgman, 8/21/75, p. 42).

Hedgman had a general picture of O'Donnell's mission:

> I understood it to be that -- similar to mine, that is, the removal or neutralization of Lumumba ... I have no clear recollection of his discussing the assassination. (Hedgman, 8/21/75, p. 54.)

Hedgman said that he had no recollection of O'Donnell indicating one way or the other whether he was considering assassination as a means of "neutralizing" Lumumba (Hedgman, 8/21/75, p. 55). Hedgman said, "in view of my instructions, I may have assumed that he was" considering assassination (Hedgman, 8/21/75, p. 55). Generally, however, Hedgman perceived O'Donnell as being unenthusiastic about his mission (Hedgman, 8/21/75, pp. 56, 88-89).

When O'Donnell arrived in the Congo, he met with the Chief of Station, who informed him that there was "a virus in the safe" (O'Donnell, 9/11/75, p. 7-A; 6/9/75, p. 16). O'Donnell said he assumed it was a "lethal agent" (O'Donnell, 6/9/75, p. 37), although Hedgman was not explicit:

> I knew it wasn't for somebody to get his polio shot up to date. (O'Donnell, 6/9/75, p. 16.)

He added that if the virus was to be used for medical purposes, "it would have been in the custody of the State Department" personnel, not the CIA station (O'Donnell, 6/9/75, p. 36).

O'Donnell said that he did not recall that Hedgman mentioned the source of the virus (O'Donnell, 9/11/75, p. 8).* But O'Donnell assumed that it had come from Sidney Gottlieb's office:

> It would have had to have come from Washington, in my estimation, and I would think, since it had been discussed with Gottlieb that it probably would have emanated from his office. (O'Donnell, 6/9/75, p. 28.)

Hedgman did not recall discussing Gottlieb's trip to the Congo with O'Donnell, but "assumed" that he did so (Hedgman, 8/21/75, pp. 60-61).

O'Donnell was "certain" that the virus had arrived before he did (O'Donnell, 6/9/75, p. 24). He was surprised to learn that such a virus was being held at the Leopoldville station because he had refused an assassination mission before departing for the Congo (O'Donnell, 6/9/75, p. 17).

O'Donnell stated that he knew of no other instance where a lethal biological substance was in the possession of a CIA station (O'Donnell, 9/11/75, p. 50). He assumed that its purpose was assassination:

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* When O'Donnell was informed about Hedgman's testimony on the visit of Gottlieb to the Congo and the plot to poison Lumumba, he said, "I believe absolutely in its credibility" (O'Donnell, 9/11/75, p. 53). O'Donnell found nothing in the facts as he knew them, nor in Hedgman's character to raise a question about that testimony. O'Donnell regarded Hedgman as "an honest and a decent man" (O'Donnell, 9/11/75, p. 19) -- "a totally truthful man" (O'Donnell, 9/11/75, p. 56).

> My feeling definitely is that it was for a specific purpose, and was just not an all-purpose capability there begin held for targets of opportunity, unspecified targets. (O'Donnell, 9/11/75, p. 49.)

At several points, O'Donnell stated that he did not think that Lumumba was the target specified for the use of the virus (O'Donnell, 6/9/75, p. 17; 9/11/75, p. 48). But he allowed for that possibility:

> I supposed it was for a lethal operation, very possibly Lumumba, but very possibly in connection with other people. (O'Donnell, 6/9/75, p. 24; accord. 6/9/75, p. 17.)

His final word on the subject was that he assumed that the "specific purpose" of the virus was the assassination of Lumumba (O'Donnell, 9/11/75, p. 50).

O'Donnell said that the Chief of Station never indicated that O'Donnell was to employ the virus (O'Donnell, 9/11/75, p. 52). In fact, O'Donnell testified that Hedgman "never discussed his assassination effort, he never even indicated that this was one." (O'Donnell, 9/11/75, p. 54.)

While Hedgman has no direct recollection of discussing his assassination operation with O'Donnell, he "assumed" that he had at least discussed with O'Donnell the problem of gaining access to Lumumba for the purpose of assassinating him (Hedgman, 8/21/75, pp. 55, 60). O'Donnell testified, however, that because he was "morally opposed to assassination" he would "absolutely not" have

explored the means by which such access could be gained, nor would he have undertaken a mission to the Congo if it involved assessment of the situation for an assassination operation by someone else (O'Donnell, 9/11/75, p. 26).

O'Donnell was "sure" that he "related everything" to Hedgman about his conversations with Bissell concerning the assassination of Lumumba (O'Donnell, 9/11/75, p. 46). Hedgman, however, had no recollection of learning this from O'Donnell (Hedgman, 8/21/75, p. 56).

Beyond this, O'Donnell said that his discussions of assassination with Hedgman were general and philosophical, dealing with "the morality of assassinations" (O'Donnell, 9/11/75, pp. 46, 54):

> From my point of view I told him I had moral objections to it, not just qualms, but objections. I didn't think it was the right thing to do. (O'Donnell, 9/11/75, p. 9).

When asked to characterize Hedgman's attitude toward assassination based on those discussions, O'Donnell said:

> I will answer your question just as fairly and as scrupulously as I can. I have a great deal of respect for Hedgman. And if he said something, I would believe him to be speaking the truth as he knew it without shading it.... The best I could say, I think, would be this, that he would not have been opposed in principle to assassination in the interests of national security.... I know that he is a man of great moral perception and decency and honor, and so forth. And that it would disturb him to be engaged in something like that. But I think I would have to say that in our conversations, my memory of those, at no time would he rule it out as being a possibility. (O'Donnell, 9/11/75, p. 18.)

(v) O'Donnell Planned to "Neutralize" Lumumba by Turning Him Over to Congolese Authorities and Requested the Assignment of Agent QJWIN to Leopoldville as His Alter Ego

After Justin O'Donnell arrived in the Congo, he formulated a plan for "neutralizing" Lumumba by drawing him away from the custody of the UN force which was guarding his residence:

> O'Donnell: [W]hat I wanted to do was to get him out, to trick him out, if I could, and then turn him over ... to the legal authorities and let him stand trial. Because he had atrocity attributed to him for which he could very well stand trial.
>
> Q: And for which he could very well have received capital punishment?
>
> O'Donnell: Yes. And I am not opposed to capital punishment. (O'Donnell, 9/11/75, pp. 20-21.)*

To implement his plan, O'Donnell made arrangements to rent "an observation post over the palace in which Lumumba was safely ensconced"

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* According to an earlier report from the Chief of Station, it was the view of the Special Representative of the Secretary General of the United Nations that arrest by Congolese authorities was "JUST A TRICK TO ASSASSINATE LUMUMBA" (CIA Cable Leop Chief of Station to Director, 10/11/60). The Chief of Station proceeded to recommend Lumumba's arrest in the same cable:

> STATION HAS CONSISTENTLY URGED [CONGOLESE] LEADERS ARREST LUMUMBA IN BELIEF LUMUMBA WILL CONTINUE BE THREAT TO STABILITY CONGO UNTIL REMOVED FROM SCENE (CIA Cable, 10/11/60).

(O'Donnell, 6/9/75, p. 20).* O'Donnell also "spotted" a member of the UN guard and made his acquaintance to recruit him for an attempt to lure Lumumba outside UN protective custody (O'Donnell, 6/9/75, p. 20; 9/11/75, p. 21).

O'Donnell said that he cabled progress reports on his plan to CIA headquarters (O'Donnell, 9/11/75, p. 26). He also said that he informed the Chief of Station about his plan (O'Donnell, 9/11/75, p. 56).

In connection with his effort to draw Lumumba out of UN custody, O'Donnell arranged for a CIA agent, whose code name was QJWIN, to come to the Congo to work with him (O'Donnell, 9/11/75, p. 19):

> What I wanted to use him for was ... counter-espionage[.]... I had to screen the U.S. participation in this ... by using a foreign national whom we knew, trusted, and had worked with ... the idea was for me to use him as an alter ego. (O'Donnell Tr., pp. 19-20.)

In mid-November, two cables from Leopoldville urged CIA headquarters to send QJWIN as soon as possible (CIA Cable IN 41261, Leopoldville to Director, 11/11/60) with this message:

> LOCAL OPERATIONAL CIRCUMSTANCES REQUIRE IMMEDIATE EXPEDITION OF QJWIN TRAVEL TO LEOPOLDVILLE. (CIA Cable IN 41556, Leopoldville to Director, 11/13/60.)

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* A cable from the Chief of Station to Tweedy in mid-November reported that the double guard of United Nations and Congolese troops around Lumumba's residence thwarted this plan: "CONCENTRIC RINGS OF DEFENSE MAKE ESTABLISHMENT OF OBSERVATION POST IMPOSSIBLE" (CIA Cable IN 42478, Chief of Station to Tweedy, 11/14/60).

The cables contained no exploration of this sense of urgency about the "operational circumstances."

(b) Agent QJWIN's Mission in the Congo: November-December 1960

QJWIN was a foreign citizen with a criminal background, recruited in Europe (Memorandum to CIA Finance Division, Re: Payments to QJWIN, 1/31/61), and supervised by CIA officer Arnold Silver. In November 1960, at O'Donnell's request (O'Donnell, 6/9/75, p. 19), agent QJWIN was dispatched to the Congo by Silver, to undertake a mission that "might involve a large element of personal risk." (CIA Cable IN 36814, 11/2/60.)*

A dispatch from the CIA headquarters on his pending trip to Africa made clear the high degree of sensitivity accorded to his mission:

> In view of the extreme sensitivity of the objective for which we want him to perform his task, he was not told precisely what we want him to do.... Instead, he was told ... that we would like to have him spot, assess, and recommend some dependable, quick-witted persons for our use.... It was thought best to withhold our true, specific requirements pending the final decision to use [him]. (CIA Dispatch, AUDW-147, 11/2/60.)

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* Part of the purpose in dispatching QJWIN to Africa was to send him from the Congo to another African country for an unspecified mission. QJWIN's mission to this country is not explained in the cable traffic between CIA headquarters and the various stations that dealt with him.

There is no indication in CIA files as to whether QJWIN completed this mission. O'Donnell said he had no knowledge of any mission that would have taken QJWIN to this country (O'Donnell, 9/11/75, pp. 32-33).

This message itself was deemed too sensitive to be retained at the station: "this dispatch should be reduced to cryptic necessary notes and destroyed after the first reading." (CIA Dispatch, AUDW-147, 11/2/60.)

QJWIN arrived in Leopoldville on November 21, 1960 (CIA Cable IN 49486, 11/29/60) and returned to Europe in late December 1960 (CIA Cable OUT 54710, Director to Leopoldville, 12/9/60).

The CIA Inspector General's Report said that QJWIN

> had been recruited earlier by Arnold Silver for use in a special operation in the Congo [the assassination of Patrice Lumumba] to be run by Justin O'Donnell. (I.G. Report, p. 38.)

However, both O'Donnell and Bissell testified that O'Donnell refused to be associated with an assassination operation.* Instead, O'Donnell said he went to the Congo to attempt to snatch Lumumba from the protective custody of the U.N. guard and place him in the hands of the Congolese army. (O'Donnell, 6/9/75, pp. 13-14, 37.)

According to O'Donnell, QJWIN was a man who was capable of undertaking an assassination mission:

> O'Donnell: ... I would say that he would not be a man of many scruples.
>
> Q: So he was a man capable of doing anything?
>
> O'Donnell: I would think so, yes.
>
> Q: And that would include assassination?
>
> O'Donnell: I would think so.
>
> (O'Donnell, 9/11/75, pp. 35-36.)

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* See Sections 5(a)(ii) and 5(a)(iii) above.

But O'Donnell had no knowledge that QJWIN was ever used for an assassination mission (O'Donnell, 9/11/75, pp. 36, 42).

O'Donnell said that, as far as he knew, he was the only CIA officer with supervisory responsibility for QJWIN and QJWIN did not report independently to anyone else (O'Donnell, 9/11/75, p. 28). When asked if it was possible that QJWIN had a mission independent of that he was performing for O'Donnell, he said:

> O'Donnell: Yes, that is possible -- or it could have been that somebody contacted him after he got down there, that they wanted him to do something along the lines of assassination. I don't know. (O'Donnell, 9/11/75, p. 29.)

But he discounted this possibility as "highly unlikely" because it would be a departure from standard CIA practice -- placing an agent in a position of knowledge superior to that of his supervising officer (O'Donnell, 9/11/75, p. 29).

Despite O'Donnell's doubt that QJWIN had an independent line of responsibility to the Chief of Station, a cable of November 29 shows that Hedgman was aware of WIN's activities.

In that cable, the Chief of Station reported through the PROP channel to Tweedy that QJWIN had begun implementation of a plan to "PIERCE BOTH CONGOLESE AND UN GUARDS" to enter Lumumba's residence and "PROVIDE ESCORT OUT OF RESIDENCE" (CIA Cable IN 49486, Chief of Station to Tweedy, 11/29/60). O'Donnell said that he had directed QJWIN to make the acquaintanceship of the member of the UN force whose help he sought for the plan to snatch Lumumba from UN custody

(O'Donnell, 9/11/75, p. 21). But Lumumba had left UN custody at this point to travel toward his stronghold at Stanleyville. This did not deter QJWIN:

> VIEW CHANGE IN LOCATION TARGET, QJWIN ANXIOUS GO STANLEYVILLE AND EXPRESSED DESIRE EXECUTE PLAN BY HIMSELF WITHOUT USING ANY APPARAT (CIA Cable, 11/29/60).

It is unclear whether this latter "plan" contemplated assassination as well as abduction. An affirmative reply from headquarters came through the PROP channel the next day which was also susceptible of interpretation as an assassination order:

> CONCUR QJWIN GO STANLEYVILLE.... WE ARE PREPARED CONSIDER DIRECT ACTION BY QJWIN BUT WOULD LIKE YOUR READING ON SECURITY FACTORS. HOW CLOSE WOULD THIS PLACE [UNITED STATES] TO THE ACTION? (CIA Cable OUT 98314, Chief of Africa Division to Chief of Station, 11/30/60.)

O'Donnell said that agent QJWIN's stay in the Congo was "coextensive with my own, allowing for the fact that he came after I did." (O'Donnell, 6/9/75, p. 19.) O'Donnell said he left the Congo around the time of Lumumba's death in Katanga at the hands of Congolese authorities. (O'Donnell, p. 20.) QJWIN left in December shortly after Lumumba was captured by the Congolese army.

In a memorandum to arrange the accounting for QJWIN's activities in the Congo, William K. Harvey -- under whom O'Donnell had worked before being detached for assignment to the Congo -- noted the success of QJWIN's mission: "QJWIN was sent on this trip for a

specific, highly sensitive operational purpose which has been completed" (Memorandum for Finance Division from William K. Harvey, 1/11/61). O'Donnell explained Harvey's reference to the fact that QJWIN's mission had been "completed" by saying that once Lumumba was in the hands of the Congolese authorities "the reason for the mounting of the project ... had become moot" (O'Donnell, 9/11/75, p. 35). When asked if he and QJWIN were responsible for Lumumba's departure from UN custody and subsequent capture, O'Donnell said: "Absolutely not" (O'Donnell, 9/11/75, p. 35). Harvey did not recall the meaning of the memorandum, but he assumed that O'Donnell's return from the Congo constituted the "completion" of QJWIN's mission (Harvey, affidavit, p.).

Despite the indication in the Inspector General's Report that QJWIN may have been recruited initially for an assassination mission and the suggestive language of the cables at the end of November, there is no clear evidence that QJWIN was actually involved in any assassination plan or attempt. The CIA officers who were involved in or knowledgeable of an assassination plot against Lumumba gave no testimony that tended to show that QJWIN was related to that plot.

The Chief of Station had a "vague recollection" that QJWIN was in the Congo working for Justin O'Donnell. (Hedgman, 8/21/75, p. 95.) But Hedgman did not recall why QJWIN was in the Congo. (Hedgman, 8/21/75, p. 95.) QJWIN was not a major operative of Hedgman's. (Hedgman, 8/21/75, p. 95.) Richard Bissell and Bronson Tweedy did not recall anything about QJWIN's mission in the Congo

(Bissell, 9/10/75, pp. 54-57; Tweedy, 9/9/75, pp. 54, 61).

William Harvey, from whose division QJWIN was on loan for his Congo assignment, had no specific knowledge of WIN's activities in the Congo:

> I was kept informed of the arrangements for QJWIN's trip to the Congo and, subsequently, of his presence in the Congo. I do not know specifically what QJWIN did in the Congo. I do not think that I ever had such knowledge.... If QJWIN were to be used on an assassination mission, it would have been cleared with me. I was never informed that he was to be used for such a mission. (Harvey affidavit, p.)

He stated that Arnold Silver probably wrote the memoranda concerning QJWIN and submitted them for HARVEY's signature (Harvey affidavit, p.).

(c) QJWIN's Connection to Project ZRRIFLE

After leaving the Congo in early 1961, QJWIN was used by CIA officer William Harvey as the principal asset in Project ZRRIFLE, a project which included research into a capability to assassinate foreign leaders.* QJWIN's role in Project ZRRIFLE was to "SPOT" figures of the European underworld who could be utilized as agents by the CIA if required. Harvey stated that before the formation of Project ZRRIFLE:

* For a full treatment of Project ZRRIFLE, see Section ____, infra, on the "Executive Action Capability."

> Arnold Silver had not previously used QJWIN as an assassination capability or even viewed him as such. (Harvey affidavit, p.)

Although Harvey also had discussions with Sidney Gottlieb in connection with Project ZRRIFLE, he believed that Gottlieb never mentioned to him either QJWIN's activities in the Congo or Gottlieb's own trip to Leopoldville (Harvey affidavit, p.). Harvey had consulted with Arnold Silver about the initiation of Project ZRRIFLE (Harvey, 6/25/75, p. 52).

The Chief of Station in Leopoldville testified that he had never heard of Project ZRRIFLE, nor was he aware of any CIA project to develop the capability of assassinating foreign leaders. (Hedgman, 8/21/75, p. 93.) Furthermore, Hedgman said that he was "quite certain" that he never discussed assassination capabilities or assets with Harvey at any time. (Hedgman, 8/21/75, p. 95.) Hedgman testified that Arnold Silver came to the Congo on a counter-intelligence mission during his tenure, but they did not discuss the plan to assassinate Lumumba. (Hedgman, 8/21/75, p. 92.)

An interesting note on the value accorded QJWIN by the CIA and the inherent predicament for an intelligence agency that employs hoodlums is found in a cable from CIA headquarters to Arnold Silver in 1962. The CIA had learned that QJWIN was about to go on trial in Europe on smuggling charges. The cable suggested:

> IF ... INFOR TRUE WE MAY WISH ATTEMPT QUASH CHARGES OR ARRANGE SOMEHOW SALVAGE QJWIN FOR OUR PURPOSES. (CIA Cable OUT 73943, 4/18/62.)

(d) <u>Agent QJWIN Was Asked By Hedgman's Operative WIROGUE to Join an "Execution Squad": December 1960</u>

The one incident where there is an explicit reference to assassination in connection with QJWIN involved his contact with WIROGUE, another asset of the Congo station.

WIROGUE was an "essentially stateless" European who was " a forger and former bank robber" and had fought with the French Foreign Legion. (Inspector General Memorandum, 3/14/75.) He was sent to the Congo after being given plastic surgery and a toupee by the CIA so that he would not be recognized by Europeans traveling through the Congo. (I.G. Memorandum, 3/14/75.) WIROGUE was assessed by the CIA as a man who "LEARNS QUICKLY AND CARRIES OUT ANY ASSIGNMENT WITHOUT REGARD FOR DANGER" (CIA Cable OUT 86554, Africa Division to Leopoldville, 10/27/60).

The Chief of Station described WIROGE as "a man with a rather unsavory reputation, who would try anything once, at least." (Hedgman, 8/21/75, p. 96.) Hedgman used him as "a general utility agent" because "I felt we needed surveillance capability, developing new contacts, various things." (Hedgman, 8/21/75, p. 96.) Hedgman supervised WIROGUE directly and did not put WIROGUE in touch with Justin O'Donnell. (Hedgman, 8/21/75, p. 97.)

A report on agent WIROGUE, prepared for the CIA Inspector General's office in 1975, described the training and tasking he received:

> On 19 September 1960 two members of Africa Division met with him to discuss "an operational assignment in Africa Division." In connection with this assignment, WIROGUE/1 was to be trained in demolitions, small arms, and medical immunization.... In October 1960 a cable to Leopoldville stated that ... Headquarters [had] ... intent to use him as utility agent in order to "(a) organize and conduct a surveillance team; (b) intercept packages; (c) blow up bridges; and (d) execute other assignments requiring positive action. His utilization is not to be restricted to Leopoldville." (I.G. Memorandu, 3/14/75.)

WIROGUE made his initial contact with Hedgman in Leopoldville on December 2, 1960 (CIA Cable IN 18739, 12/17/60). He was given two instructions by Hedgman: (1) to "build cover during initial period;" and (2) to "spot persons for [a] surveillance team" of intelligence assets in the province where Lumumba's support was strongest. (CIA Cable IN 18739, 12/17/60.)

Soon after receiving these instructions, agent WIROGUE approached QJWIN and asked him to join an "execution squad." This incident is described by Leopoldville Chief of Station Hedgman in a cable to CIA headquarters (Hedgman, 8/21/75, p. 99):

> QJWIN WHO RESIDES SAME HOTEL AS WIROGUE REPORTED LATTER TOLD HIM HE HAD LIVED ALASKA, JAPAN, SOUTH AMERICA, GERMANY AND OTHER PARTS EUROPE. QJWIN SAID WIROGUE SMELLED AS THOUGH HE IN INTEL BUSINESS. STATION DENIED ANY INFO ON WIROGUE. 14 DEC QJWIN REPORTED WIROGUE HAD OFFERED HIM THREE HUNDRED DOLLARS PER MONTH TO PARTICIPATE IN INTEL NET AND BE MEMBER "EXECUTION SQUAD." WHEN QJWIN SAID HE NOT INTERESTED, WIROGUE ADDED THERE WOULD BE BONUSES FOR SPECIAL JOBS. UNDER QJWIN QUESTIONING, WIROGUE LATER SAID HE WORKINF FOR [AMERICAN] SERVICE.
>
> ... IN DISCUSSING LOCAL CONTACTS, WIROGUE MENTIONED QJWIN BUT DID NOT ADMIT TO HAVING TRIED RECRUIT HIM. THEN [CHIEF OF STATION] TRIED LEARN WHETHER WIROGUE HAD MADE APPROACH LATTER CLAIMED HAD TAKEN NO STEPS. [CHIEF OF STATION] WAS UNABLE CONTRADICT, AS DID NOT WISH REVEAL QJWIN CONNECTION [CIA]. (CIA Cable, Leopoldville to Director, 12/17, 60.)

The cable also expressed Hedgman's concern about WIROGUE's actions:

> ... LEOP CONCERNED BY WIROGUE FREE WHEELING AND LACK SECURITY. STATION HAS ENOUGH HEADACHES WITHOUT WORRYING ABOUT AGENT WHO NOT ABLE HANDLE FINANCES AND WHO NOT WILLING FOLLOW INSTRUCTIONS. IF HQS DESIRES, WILLING KEEP HIM ON PROBATION, BUT IF CONTINUE HAVE DIFFICULTIES, BELIEVE WIROGUE RECALL BEST SOLUTION. (CIA Cable, Leopoldville to Director, 12/17/60.)

WIROGUE's attempt to recruit QJWIN for an execution squad is explained by Hedgman as a mistake and by the actions of QJWIN as an unauthorized, unexpected contact which he did not initiate.

The Chief of Station testified that he had not instructed WIROGUE to make this kind of proposition to QJWIN or anyone else. (Hedgman, 8/21/75, p. 100.) He added:

> I would like to stress that I don't know what WIROGUE was talking about as a[n] "execution squad," and I am sure he was never tasked to go out and execute anyone. (Hedgman, 8/21/75, p. 100.)

Hedgman suggested that WIROGUE may have concocted the idea of an execution squad:

> His idea of what an intelligence operative should do, I think, had been gathered by reading a few novels or something of the sort. (Hedgman, 8/21/75, p. 100.)

Justin O'Donnell had no knowledge of an attempt by anyone connected to the CIA to recruit an execution squad and no recollec-

tion of WIROGUE (O'Donnell, 9/11/75, pp. 39-42). O'Donnell mentioned that agent QJWIN was considered for use on a "strong arm squad," but said that this was for purposes more general than assassinations:

> surveillance teams where you have to go into crime areas ... where you need a fellow that if he gets in a box can fight his way out of it. (O'Donnell, 9/11/75, p. 36).

Richard Bissell recalled nothing of the WIROUGE approach to QJWIN (Bissell, 9/11/75, p. 71). Bronson Tweedy did recall that WIROGUE was "dispatched on a general purpose mission" to the Congo (Tweedy, 9/9/75, p. 63). But Tweedy testified that WIROGUE would "absolutely not" have been used on an assassination mission against Lumumba because "he was basically dispatched, assessed and dealt with by the balance of the Division" rather than by the two people in the Africa Division -- Tweedy himself and his deputy, Glenn Fields -- who would have known that the assassination of Lumumba was being considered (Tweedy, 9/9/75, pp. 64-65).

The Chief of Station said that if the WIROGUE incident was connected to an actual assassination plan, he would have transmitted a message in a more narrowly restricted channel than that in which this cable was sent. His cable on WIROGUE's approach to QJWIN was sent to headquarters with a security designation that allowed much wider distribution than the PROP cables that he sent and received concerning the Gottlieb assassination assignment. (Hedgman, 8/21/75, p. 102.) In contrast, he limited distribution of the cable about

WIROGUE only as a CIA officer would "normally do ... when you speak in a derogatory manner of an asset." (Hedgman, 8/21/75, p. 101)

The Chief of Station maintained that WIROGUE's proposition to QJWIN to join an "execution squad" could be attributed to WIROGUE's "freewheeling" nature. Hedgman said:

> I had difficulty controlling him in that he was not a professional intelligence officer as such. He seemed to act on his own without seeking guidance or authority ... I found he was rather an unguided missile ... the kind of man that could get you in trouble before you knew you were in trouble.... (Hedgman, 8/21/75, pp. 96-97).

But Hedgman did not disavow all responsibility for WIROGUE's actions:

> [I]f you give a man an order and he carries it out and causes a problem for the Station, why then as Chief of Station, well, you accept responsibility. (Hedgman, 8/21/75, p. 97.)

In sum, the Chief of Station testified that despite the fact that the CIA was interested in the assassination of Lumumba during this period, agent WIROGUE's attempt to form an "execution squad" was an unauthorized, maverick action, unconnected to the CIA assassination plan.

Nonetheless, the fact that WIROGUE was to be trained in "medical immunization" (I.G. Memorandum, 3/14/75) raises the possibility that he was connected to the plot to assassinate Lumumba by means of lethal biological substances. The 1975 report on WIROGUE's case

by the Inspector General's office leaves this question open. The report concludes with the statement that "WIROGUE/1 spent most of his time trying to develop contacts and was not directly involved in any particular operation." (I.G. Memorandum, 3/14/75.) But, when the report was circulated in the Inspector General's office, the following comment was handwritten by Scott Breckinridge, one of the principal authors of the 1967 report on CIA involvement in assassination attempts: "ROGUE's pitch is too clear to be discarded out of hand as 'exceeding instructions.'" (I.G. Memorandum, 3/14/75)

6. <u>The Question of Whether the CIA Was Involved in Bringing About Lumumba's Death in Katanga</u>

There is no direct evidence of CIA involvement in bringing about Lumumba's death in Katanga. The CIA officers most closely connected to the plot to poison Lumumba testified uniformly that they knew of no CIA involvement in Lumumba's death.

(a) <u>Lumumba's Escape from UN Custody, Capture by Congolese Army, and Imprisonment at Thysville: November 27-December 3, 1960</u>

The strongest hint that the CIA may have been involved in the capture of Lumumba by Mobutu's troops after his departure from UN custody on November 27, was contained in a PROP cable from the Chief of Station to Tweedy on November 14 (CIA Cable IN 42478, Chief of Station to Tweedy, 11/14/60). In the cable, Hedgman reported that an agent of his had learned that Lumumba's

> POLITICAL FOLLOWERS IN STANLEYVILLE DESIRE THAT HE BREAK OUT OF HIS CONFINEMENT AND PROCEED TO THAT CITY BY CAR TO ENGAGE IN POLITICAL ACTIVITY. (CIA Cable, 11/14/60.)

The Chief of Station was confident that he would have foreknowledge of Lumumba's departure and that action plans were prepared for that eventuality:

> DECISION ON BREAKOUT WILL PROBABLY BE MADE SHORTLY. STATION EXPECTS TO BE ADVISED BY [AGENT] OF DECISION WHEN MADE.... STATION HAS SEVERAL POSSIBLE ASSETS TO USE IN EVENT OF BREAKOUT AND STUDYING SEVERAL PLANS OF ACTION. (CIA Cable, 11/14/60.)

There is no other evidence, however, that the CIA actually gained prior knowledge of Lumumba's plan to depart for Stanleyville. In fact, a cable from Leopoldville on the day after Lumumba's escape betrays the station's complete ignorance about the circumstances of Lumumba's departure (CIA Cable IN 48484, Leopoldville to Director, 11/28/60).

But the same cable raises at least a question as to whether the CIA was involved in the capture of Lumumba enroute by Congolese troops:

> [STATION] WORKING WITH [CONGOLESE GOVERNMENT] TO GET ROADS BLOCKED AND TROOPS ALERTED [BLOCK] POSSIBLE ESCAPE ROUTE. (CIA Cable, 11/28/60.)

A cable of December 2 reporting Lumumba's capture militates against CIA involvement, however, because it portrays the Congolese forces as the source of the station's information (CIA Cable IN 10643, Leopoldville to Director, 12/3/60).

The Chief of Station testified that he was "quite certain that there was no Agency involvement in any way" in Lumumba's departure

from UN custody and that he had no foreknowledge of Lumumba's plan (Hedgman, 8/21/75, pp. 63-64). He stated that he consulted with Congolese officers about the possible routes Lumumba might take to Stanleyville, but he was "not a major assistance" in tracking down Lumumba prior to his capture (Hedgman, 8/21/75, p. 65).

Despite the fact that O'Donnell had planned to draw Lumumba out of UN custody and turn him over to Congolese authorities, he insisted that Lumumba escaped by his own devices and was not tricked by the CIA (O'Donnell, 9/11/75, p. 22).

(b) Transfer of Lumumba to Katanga Where He Was Killed: January 17, 1960

The contemporaneous cable traffic shows that the CIA was kept informed of Lumumba's condition and movements in January of 1961 by the Congolese and that the CIA still considered Lumumba a serious political threat. But there is no direct evidence of CIA involvement in bringing about Lumumba's death in Katanga.

* Excerpts from cable traffic of January 1961 and from the testimony of CIA officers Hedgman, Tweedy, O'Donnell, and Helms (investigative report) should be inserted.

7. The Question of the Level at which the Assassination Plot Was Authorized

The chain of events revealed by the documents and testimony is strong enough to permit a reasonable inference that the assassination plot was authorized by the President. It is clear that Allen Dulles authorized the plot.

At the least, the chronological relationship between strong Presidential or other White House expressions of hostility to Lumumba and CIA steps toward the assassination of Lumumba is close enough to make it appear that Dulles thought he was acting in response to pressure from above in approving assassination as one means of removing Lumumba from the political scene.

Nevertheless, there is enough countervailing testimony by Eisenhower Administration officials and enough ambiguity in the records of high-level policy meetings to raise a doubt as to whether President Eisenhower intended an assassination effort against Lumumba.

The chain of significant events in the Lumumba case begins with the testimony that President Eisenhower made a statement at a meeting of the National Security Council in the Summer or early Fall of 1960 that came across to one staff member in attendance as an order for the assassination of Patrice Lumumba. The next link is a memorandum of the Special Group meeting of August 25, 1960, which indicated that when the President's "extremely strong feelings on the necessity for very straightforward action" were conveyed, the Special

Group

> agreed that planning for the Congo would not necessarily rule out "consideration" of any particular kind of activity which might contribute to getting rid of Lumumba. (Minutes of Special Group Meeting, 25 August 1960)

The next day CIA Director Allen Dulles, who had attended the Special Group meeting, personally cabled to the Chief of Station in Leopoldville that Lumumba's "REMOVAL MUST BE AN URGENT AND PRIME OBJECTIVE . . . A HIGH PRIORITY OF OUR COVERT ACTION" (CIA Cable OUT 62966, Dulles to Leopoldville, 8/26/60). Dulles added: "YOU CAN ACT ON YOUR OWN AUTHORITY WHERE TIME DOES NOT PERMIT REFERRAL HERE."

Although the Dulles cable does not explicitly mention assassination, Richard Bissell -- the CIA official under whose aegis the assassination effort against Lumumba took place -- testified that, in his opinion, this cable was a direct outgrowth of the Special Group meeting and signaled to him that the President had authorized assassination as one means of removing Lumumba (Bissell, 9/10/75, pp. 33-34, 61-62; see Section 7(c), <u>infra</u>). Bronson Tweedy, who bore the primary administrative responsibility for activities against Lumumba, testified that the Dulles cable confirmed the policy that no measure, including assassination, was to be overlooked in the attempt to remove Lumumba from a position of influence (Tweedy, 10/9/75, pp. 4-5).

On September 19, 1960, Bissell and Tweedy cabled the Chief of Station to expect a messenger from CIA headquarters. Two days later, in the presence of the President at a meeting of the National Security

Council, Allen Dulles stated that Lumumba "would remain a grave danger as long as he was not yet disposed of" (Memorandum, 460th NSC Meeting, 9/21/60). Five days after this meeting, a CIA scientist arrived in Leopoldville and provided the Chief of Station with lethal biological substances, instructed him to assassinate Lumumba, and informed him that the President had authorized this operation.

Two mitigating factors weaken this chain just enough so that it will not support an absolute finding of Presidential authorization for the assassination effort against Lumumba.

First, the two officials of the Eisenhower Administration responsible to the President for national security affairs testified that they knew of no Presidential approval for, or knowledge of, an assassination plot.

Second, the minutes of discussions at meetings of the National Security Council and its Special Group do not record an explicit Presidential order for the assassination of Lumumba. The Secretary of the Special Group maintained that his memoranda reflect the actual language used at the meetings without omission or euphemism for extremely sensitive statements (Parrott, 7/10/75, pp. 18-19). NSC staff executives stated, however, that there was a strong possibility that a statement as sensitive as an assassination order would have been omitted from the record or handled by means of euphemism. Several high Government officials involved in policy-making

and planning for covert operations testified that the language in these minutes clearly indicated that assassination was contemplated at the NSC as one means of eliminating Lumumba as a political threat; other officials testified to the contrary.

(a) High-Level Meetings at which "Getting Rid of Lumumba" Was Discussed

(i) Dillon Testified that the Question of Assassination Was Raised at Pentagon Meeting: Summer 1960

In late July 1960, Patrice Lumumba visited the United States and met with Secretary of State Christian Herter and Undersecretary of State C. Douglas Dillon. While Lumumba was in Washington, D.C., Secretary Herter pledged aid to the newly formed Government of the Congo (New York Times, 7/28/60, p.).

According to Dillon, the impression that Lumumba left with the Government officials was that of an irrational, almost psychotic personality:

> When he was in the State Department meeting, either with me or with the Secretary in my presence . . . he would never look you in the eye. He looked up at the sky. And a tremendous flow of words came out. He spoke in French, and he spoke it very fluently. And his words didn't ever have any relation to the particular things that we wanted to discuss . . . . You had a feeling that he was a person that was gripped by this fervor that I can only characterize as messianic . . . . [H]e was just not a rational being. (Dillon, 9/2/75, p. 24.)

Dillon said that the willingness of the United States Government to work with Lumumba vanished after these meetings:

> [T]he impression that was left was . . . very bad, that this was an individual whom it was impossible to deal with. And the feelings of the Government as a result of this sharpened very considerably at that time . . . . We [had] hoped to see him and see what we could do to come to better understanding with him. (Dillon, 9/2/75, pp. 23-24.)

Dillon testified that shortly after Lumumba's visit to Washington, in late July or August, he attended a meeting at the Pentagon where representatives of the State Department, Defense Department, Joint Chiefs of Staff, and the CIA were present (Dillon, 9/2/75, pp. 17-20, 25-26).*

According to Dillon, "a question regarding the possibility of an assassination attempt against Lumumba was briefly raised" at the meeting (Dillon, 9/2/75, p. 15; see also 17, 25). Dillon did not recall anything about the language used in raising the question (Dillon, 9/2/75, p. 30). Dillon assumed that when the subject of Lumumba's assassination was raised, "it was turned off by the CIA" (Dillon, 9/2/75, p. 30). Dillon said that "the CIA people, whoever they were, were negative to any such action" (Dillon, 9/2/75, p. 18). This opposition "wasn't moral," according to Dillon, but rather an objection on the grounds that it was "not a possible thing" (Dillon, 9/2/75, p. 18). Dillon said the CIA reaction "might have been" made out of the feeling that the group was too large for such a sensitive

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* Dillon was unable to recall the precise date of this meeting (Dillon, 9/2/75, pp. 25-26).

discussion (Dillon, 9/2/75, p. 60).

Dillon was clear about the fact that "top level" CIA people were in attendance, although he did not remember who lodged the negative reaction to the assassination question (Dillon, 9/2/75, pp. 22, 25). He said it "would have to have been either Allen Dulles, or possibly [General] Cabell . . . most likely Cabell" (Dillon, 9/2/75, p. 25). He added that it was "very likely" that Richard Bissell was in attendance (Dillon, 9/2/75, p. 21).

Dillon stated that this discussion could not have served as authorization for an actual assassination effort against Lumumba (Dillon, 9/2/75, p. 31). But he believed that the expression of concern typified a prevalent attitude toward Lumumba that might have justified the CIA's development of a capability to assassinate him:

> I think they could have decided they wanted to develop the capability . . . . just by knowing the concern that everyone had about Lumumba. . . . They wouldn't have had to tell anyone about that. That is just developing their own internal capability, and then they would have to come and get permission. (Dillon, 9/2/75, p. 30)

Dillon testified that he had never heard any mention of the plot to poison Lumumba; nor, by implication, had he heard even a hint that the CIA asked permission to mount such an operation (Dillon, 9/2/75, p. 50). But after being informed of the poison plot, Dillon made the following comment about the Pentagon meeting he attended:

> I think it is . . . likely that it might have been the beginning of this whole idea on the CIA's part that they should develop such a capacity. And maybe they didn't have it then and went to work to develop it beginning in August. (Dillon, 9/2/75, p. 61)

Dillon said that it was unlikely that formal notes were taken at the meeting or preserved because it was a small "ad hoc" group rather than an official body (Dillon, 9/2/75, p. 18). Such interdepartmental meetings were "not unusual," according to Dillon (Dillon, 9/2/75, p. 20).

The only officials Dillon named as probable participants other than the CIA representatives were Deputy Secretary of Defense James Douglas and Assistant Secretary of Defense John N. Irwin II (Dillon, 9/2/75, pp. 19, 21). Douglas stated that it was possible that he attended such a meeting at the Pentagon, but he does not recall it (Douglas affidavit, 9/5/75). Nor does he recall the question of Lumumba's assassination ever being raised in his presence (Douglas affidavit, 9/5/75). Likewise, Irwin stated that it was "likely" that he attended the meeting to which Dillon referred; but he did not remember whether he was present "at any meeting at the Pentagon where the question of assassinating Patrice Lumumba was raised" (Irwin affidavit, 9/22/75, p. 3).

(ii) <u>Robert Johnson Testified That He Heard the President Order Lumumba's Assassination at an NSC Meeting</u>

Robert H. Johnson, a member of the National Security

Council staff from 1951 to January 1962, offered what he termed a "clue" to the extent of Presidential involvement in the decision to assassinate Lumumba (Johnson, 6/18/75, pp. 4-5).* Johnson recounted the following occurrence at an NSC meeting in the Summer of 1960 which began with a briefing on world developments by the Director of Central Intelligence:

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* Robert Johnson introduced his testimony with the following statement:

> . . . I would like to preface my remarks by pointing out that my decision to offer testimony to this committee has involved for me a profound personal, moral dilemma. In my role as a member of the NSC Staff for ten and one-half years, I was privy to a great deal of information that involved relationships of confidentiality with high officials of the United States government. I have always taken very seriously the responsibilities implied in such relationships.
>
> These responsibilities extend, in my view, far beyond questions of security classification or other legal or foreign policy concerns. They relate to the very basis of human society and government -- to the relationships of trust without which no free society can long survive and no government can operate.
>
> I have been forced by recent developments, however, to weigh against these considerable responsibilities my broader responsibilities as a citizen on an issue that involves major questions of public morality, as well as questions of sound policy. Having done so, I have concluded, not without a great deal of reluctance, to come to your committee with information bearing upon your inquiry into government decisions relating to the assassination of foreign leaders. (Johnson, 6/18/75, pp. 4-5)

After his tenure on the staff of the National Security Council, Robert Johnson served from 1962 to 1967 on the Policy Planning Council at the Department of State.

At some time during that discussion, President Eisenhower said something -- I can no longer remember his words -- that came across to me as an order for the assassination of Lumumba who was then at the center of political conflict and controversy in the Congo. There was no discussion; the meeting simply moved on. I remember my sense of that moment quite clearly because the President's statement came as a great shock to me. I cannot, however, reconstruct the moment more specifically.

Although I was convinced at the time -- and remained convinced when I thought about it later -- that the President's statement was intended as an order for the assassination of Lumumba, I must confess that in thinking about the incident more recently I have had some doubts. As is well known, it was quite uncharacteristic of President Eisenhower to make or announce policy decisions in NSC meetings. Certainly, it was strange if he departed from that normal pattern on a subject so sensitive as this. Moreover, it was not long after this, I believe, that Lumumba was dismissed as premier by Kasavubu in an action that was a quasi-coup. I have come to wonder whether what I really heard was only an order for some such political action. All I can tell you with any certainty at the present moment is my sense of that moment in the Cabinet Room of the White House. (Johnson, 6/18/75, pp. 6-7)

Johnson "presumed" that the President made his statement while "looking toward the Director of Central Intelligence" (Johnson, 6/18/75, p. 11). He was unable to recall with any greater specificity the words used by the President (Johnson 9/13/75, p. 10).

When asked about the strength of the possibility that he had heard only a general directive for the political overthrow of Lumumba, Johnson testified that it was his clear impression at the time of the meeting, and has remained so for the fifteen years since, that he had heard an assassination order:

Q: . . . Would it be fair to say that although you allow for the possibility that a coup or some more general

political action was being discussed, it is your clear impression that you had heard an order for the assassination of Lumumba?

Johnson: It was my clear impression at the time.

Q: And it remains your impression now?

Johnson: It remains my impression now. I have reflected on this other kind of possibility, but that is the sense . . . that persists. (Johnson, 9/13/75, pp. 24-25)

Johnson explained that his allowance for the possibility that he had heard an order for a coup did not disturb his recollection of hearing an assassination order:

> It was a retrospective reflection on what I had heard, and since this coup did occur, it occurred to me that it was possible that that is what I heard, but that would not change my sense of the moment when I heard the President speak, which I felt then, and I continue to feel, was a statement designed to direct the disposal, assassination, of Lumumba. (Johnson, 9/13/75, p. 12)

Johnson stated that the incident provoked a strong reaction from him:

> I was surprised . . . that I would ever hear a President say anything like this in my presence or the presence of a group of people. I was startled. (Johnson, 6/18/75, p. 13)

A succinct summary of Johnson's testimony was elicited by Senator Mathias in the following exchange:

Mathias: . . . What comes across is that you do have a memory, if not of exact words, but of your own reaction really to a Presidential order which you considered to be an order for an assassination.

Johnson: That is correct.

Mathias: And that although precise words have escaped

> you in the passage of fifteen years, that sense of shock remains?
>
> Johnson: Right. Yes, sir. (Johnson, 6/18/75, p. 8)

After the meeting, Johnson, who was responsible for writing the memorandum of the discussion, consulted with a senior official on the NSC staff to determine how to handle the President's statement in the memorandum and in the debriefing of the NSC Planning Board that followed each meeting:

> I suspect -- but no longer have an exact recollection -- that I omitted it from the debriefing. I also do not recall how I handled the subject in the memo of the meeting, though I suspect that some kind of reference to the President's statement was made. (Johnson, 6/18/75, p. 7)

In his second appearance, Johnson reiterated that it was "quite likely that it was handled through some kind of euphemism or may have been omitted altogether" (Johnson, 9/13/75, p. 21).*

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* In 1960, Johnson was Director of the Planning Board Secretariat -- third in command on the NSC staff. He attended NSC meetings to take notes on the discussions whenever one of the two senior NSC officials was absent.

Johnson testified that the person with whom he consulted about the manner of recording the President's statement in the minutes was one of the two top NSC staff officials at that time: NSC Executive Secretary James Lay or Deputy Executive Secretary Marion Boggs (Johnson, 9/13/75, pp. 12-13). Johnson could not recall which of the two officials he had consulted, but he "inferred" that it must have been the "top career NSC staff person present" at the meeting where he heard the President's statement (Johnson, 9/13/75, p. 12). At both of the NSC meetings where the President and Johnson were present for a discussion of Lumumba -- August 18 and September 7 -- James Lay was absent and Marion Boggs served as Acting Executive Secretary.

Marion Bogg's statement about his method of handling the situation described by Johnson is in accord with Johnson's testimony:

As Johnson stated, his testimony standing alone is "a clue, rather than precise evidence of Presidential involvement in decision-making with respect to assassinations" (Johnson, 6/18/75, p. 5). To determine the significance of this "clue," it must be placed in the context of the records of the NSC meetings attended by Johnson, testimony about those meetings, and the series of events that preceded the dispatch of poisons to the Congo for Lumumba's assassination.

In the Summer of 1960, there were four NSC meetings where developments in the Congo were discussed at which Robert Johnson was present. The President was not in attendance at two of those occasions -- July 15 and July 21 (NSC Minutes, 7/15/60; NSC Minutes,

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> I have no independent recollection of being consulted by Mr. Johnson about how to handle in the memorandum of discussion any sensitive statement regarding Lumumba. I am not saying I was not consulted; merely that I do not remember such an incident. If I had been consulted, I would almost certainly have directed Mr. Johnson to omit the matter from the memorandum of discussion. (Boggs affidavit, 10/10/75, p. 2)

James Lay, who attended other NSC meetings where Lumumba was discussed (e.g., September 21, 1960), also confirmed the fact that NSC minutes would not be likely to record a statement as sensitive as a Presidential order for an assassination, if such an order were given:

> If extremely sensitive matters were discussed at an NSC meeting, it was sometimes the practice that the official NSC minutes would record only the general subject discussed without identifying the specially sensitive subject as the discussion. In highly sensitive cases, no reference to the subject would be made in the NSC minutes. (Lay affidavit, 9/8/75, p. 2)

7/21/60). Nonetheless, the attitude toward Lumumba even at these early meetings was vehement:

> Mr. Dulles said that in Lumumba we were faced with a person who was a Castro or worse . . . Mr. Dulles went on to describe Mr. Lumumba's background which he described as "harrowing" . . . It is safe to go on the assumption that Lumumba has been bought by the Communists; this also, however, fits with his own orientation. (NSC Minutes, 7/21/60)

The President presided over the other two NSC meetings. After looking at the records of those meetings, Johnson was unable to determine with certainty which one was the meeting at which he heard the President's statement (Johnson, 9/13/75, p. 16).

However, the chronology of meetings, cables, and events in the Congo during this period makes it most likely that Johnson's testimony refers to the NSC meeting of August 18, 1960.

The meeting of August 18 took place at the beginning of a series of events that preceded the dispatch of a CIA scientist to Leopoldville with poisons for the assassination of Lumumba.* The September 7 meeting took place in the midst of this series of events.

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* The major events in the series, each of which is discussed in detail in other sections of the report, may be summarized as follows: The week following the NSC meeting of August 18, the Special Group was informed of the President's "extremely strong feelings about the necessity for very straightforward action" and the Group agreed to consider "any particular kind of activity which might contribute to getting rid of Lumumba" (Special Group Minutes, 8/25/60). At this meeting, DCI Allen Dulles commented that "he had taken the comments referred to seriously and had every intention of proceeding as vigorously as the situation permits" (Special Group Minutes, 8/25/60; see Section 7(a)(iii), *infra*). The next day, Dulles sent an "Eyes Only" cable under his personal signature to the Chief of Station in

*The NSC meeting of August 18, 1960, was held three weeks before the "quasi-coup" in the Congo -- the dismissal of Lumumba by Kasavubu -- which Johnson remembers as taking place "not long after" he heard the President's statement. The only other meeting at which Johnson could have heard the statement by the President was held on September 7, two days after this event.

Robert Johnson's memorandum of the meeting of August 18, 1960, indicates that Acting Secretary of State C. Douglas Dillon** introduced

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* Leopoldville, indicating that it had been concluded in "HIGH QUARTERS" that Lumumba's "REMOVAL MUST BE AN URGENT AND PRIME OBJECTIVE AND THAT . . . THIS SHOULD BE A HIGH PRIORITY OF OUR COVERT ACTION" (CIA Cable OUT 62966, Dulles to Chief of Station, 8/26/60). The Dulles cable added:

> WE WISH GIVE YOU WIDER AUTHORITY . . . INCLUDING EVEN MORE AGGRESSIVE ACTION IF IT CAN REMAIN COVERT . . . YOU CAN ACT ON YOUR OWN AUTHORITY WHERE TIME DOES NOT PERMIT REFERRAL HERE. (CIA Cable, 8/26/60)(<u>See</u> Section 2, <u>supra</u>, for more complete treatment of this cable.)

On September 19, a CIA scientist was dispatched from headquarters to the Congo on an extraordinarily sensitive assignment (CIA Cable OUT 71464, Bissell/Tweedy to Chief of Station, 9/19/60; <u>see</u> Section 4(a), <u>supra</u>). On September 21, in the presence of the President at an NSC meeting, Allen Dulles stated that Lumumba "remained a grave danger as long as he was not disposed of" (NSC Minutes, 9/21/60; <u>see</u> Section 7(a)(iv), <u>infra</u>). Finally, on September 26, the CIA scientist arrived in the Congo, provided the Chief of Station with lethal biological substances, instructed him to assassinate Lumumba, and informed him that the President had ordered the DCI to undertake an assassination effort (<u>see</u> Sections 4(a)-4(c), <u>supra</u>). The Chief of Station stated that he received confirmation from CIA headquarters that he was to follow the instructions he had been given (<u>see</u> Section 4(e)(i), <u>supra</u>).

** In 1960, Dillon served as Undersecretary of State, the "number two position in the State Department," the name of which subsequently changed to Deputy Secretary of State. In this position, he frequently (Continued)

the discussion of U.S. policy toward the Congo. In the course of his remarks, Dillon maintained that the presence of United Nations troops in the Congo was necessary to prevent Soviet intervention at Lumumba's request:

> If . . . Lumumba carried out his threat to force the UN out, he might then offer to accept help from anyone. . . . The elimination of the UN would be a disaster which, Secretary Dillon stated, we should do everything we could to prevent. If the UN were forced out, we might be faced by a situation where the Soviets intervened by invitation of the Congo. (NSC Minutes, 8/18/60)

The discussion then continued to raise the spectre of an alliance between Lumumba and the Soviet Union:

> Secretary Dillon said that he [Lumumba] was working to serve the purposes of the Soviets and Mr. Dulles pointed out that Lumumba was in Soviet pay. (NSC Minutes, 8/18/60)

In this context, the following exchange between President Eisenhower and Secretary Dillon was recorded:

> The President said that the possibility that the UN would be forced out was simply inconceivable. We should keep the UN in the Congo even if we had to ask for European troops to do it. We should do so even if such action was used by the Soviets as the basis for starting a fight. Mr. Dillon indicated that this was State's feeling but that the Secretary General and Mr. Lodge doubted whether, if the Congo put up really determined opposition to the UN, the UN could stay in. In response, the President stated that Mr. Lodge was wrong to this extent -- we were talking of one man forcing us out of the Congo; of Lumumba supported by the Soviets. There was no indication, the

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served as Acting Secretary of State and either attended or was kept informed about NSC and Special Group meetings. Dillon later served as Secretary of the Treasury under President Kennedy. (Dillon, 9/2/75, pp. 2-4.)

> President stated, that the Congolese did not want UN support and the maintenance of order. Secretary Dillon reiterated that this was State's feeling about the matter. The situation that would be created by a UN withdrawal was altogether too ghastly to contemplate. (NSC Minutes, 8/18/60)

This is the only statement about Lumumba which the memorandum of the meeting attributed to the President.

As reported, it clearly does not contain an order for the assassination of Lumumba. But the statement does indicate extreme Presidential concern focused on Lumumba: The President was so disturbed by the situation in the Congo that he was willing to risk a fight with the Soviet Union and he felt that Lumumba was the "one man" who was responsible for this situation, a man who did not represent the sentiments of the Congolese people in the President's estimation.

After reviewing NSC documents and being informed of Robert Johnson's testimony, Douglas Dillon stated his "opinion that it is most likely that the NSC meeting of August 18, 1960 is the meeting referred to by Mr. Johnson." (Dillon affidavit, 9/15/75.) However, Dillon testified that he did not "remember such a thing" as an explicit Presidential order for the assassination of Lumumba (Dillon, 9/2/75, p. 32). Dillon explained how he thought the President may have expressed himself about Lumumba:

> Dillon: . . . . It could have been in view of this feeling of everybody that Lumumba was [a] very difficult if not impossible person to deal with, and was dangerous to the peace and safety of the world,

> that the President expressed himself, we will have to do whatever is necessary to get rid of him. I don't know that I would have taken that as a clearcut order as Mr. Johnson apparently did. And I think perhaps others present may have interpreted it other ways. (Dillon, 9/2/75, pp. 32-33.)
>
> Q: Did you ever hear the President make such a remark about Lumumba, let's get rid of him, or let's take action right away on this?
>
> Dillon: I don't remember that. But certainly this was the general feeling of Government at that time, and it wouldn't have been if the President hadn't agreed with it. (Dillon, 9/2/75, p. 33.)

Dillon said that he would have thought that such a statement "was not a direct order to have an assassination" (Dillon, 9/2/75, p. 33). But he testified that it was "perfectly possible" that Allen Dulles would have translated such strong Presidential language about "getting rid of" Lumumba into authorization for an assassination effort (Dillon, 9/2/75, pp. 34-35):

> I think that Allen Dulles would have been quite responsive to what he considered implicit authorization, because he felt very strongly that we should not involve the President directly in things of this nature. And he was perfectly willing to take the responsibility personally that maybe some of his successors wouldn't have been. And so I think that this is a perfectly plausible thing, knowing Allen Dulles. (Dillon, 9/2/75, p. 34.)

Marion Boggs, who attended the meeting of August 18, as Acting Executive Secretary of the NSC, stated after reviewing the Memorandum of Discussion at that meeting:

> I recall the discussion at that meeting, but have no independent recollection of any statements or discussion not summarized in the memorandum. Specifically, I have no recollection of any statement, order or reference by the President (or anyone else present at the meeting) which could be interpreted as favoring action by the United States to bring about the assassination of Lumumba.* (Boggs affidavit, 10/10/75, pp. 1-2.)

The Memorandum of Discussion at the NSC meeting of September 7, 1960--the only other meeting at which Johnson could have heard the President's statement--records only a brief, general discussion of developments in the Congo (NSC Minutes, 9/7/60). As part of Allen Dulles' introductory intelligence briefing on world events, the Memorandum related his remarks on the situation in the Congo following Kasavubu's dismissal of Lumumba from his position in the government (NSC Minutes, 9/7/60, p. 4). Neither the length nor the substance of the record of this discussion indicates that Lumumba's role in the Congo received the same intense kind of consideration as the NSC had given it on August 18.** There is no record of any statement by the President

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* Boggs added:

> "Based on my whole experience with the NSC, I would have considered it highly unusual if a matter of this nature had been referred to in a Council meeting where a number of persons with no 'need to know' were present." (Boggs affidavit, 10/10/75, p. 2.)

** The NSC minutes of the meeting of September 7, deal with the discussion of the Congo in two pages (NSC Minutes, 9/7/60, pp. 4-5). By comparison, the August 18 meeting required an

during this discussion (NSC Minutes, 9/7/60, pp. 4-5).

Nevertheless, in the course of his briefing Dulles expressed his continuing concern over the amount of personnel and equipment that was being sent to the Congo by the Soviet Union, primarily to aid Lumumba (NSC Minutes, 9/7/60, p. 5). Dulles concluded this part of his briefing with an observation that demonstrated that Lumumba's dismissal from the government had not lessened the extent to which he was regarded at the NSC as a potent political threat in any power struggle in the Congo:

> Mr. Dulles stated that Lumumba always seemed to come out on top in each of these struggles. (NSC Minutes, 9/7/60, p. 5.)

The day after this NSC meeting, Gordon Gray made a pointed reminder of the President's concern about the Congo to Allen Dulles at a meeting of the Special Group:

> Mr. Gray said that he hoped that Agency people in the field are fully aware of the top-level feeling in Washington that vigorous action would not be amiss. (Special Group Minutes, 9/8/60.)

There are three possible interpretations of the failure of NSC records to reveal whether the President ordered the assassination of Lumumba at one of these meetings. First, an

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extraordinarily lengthy (fifteen pages) summary of discussion on the Congo and related policy problems in Africa, indicating that this topic was the focal point of the meeting (NSC Minutes, 8/18/60, pp. 1-15).

assassination order could have been issued but omitted from the records. Robert Johnson testified that it was "very likely" that the Presidential statement he heard would have been handled by means of a euphemistic reference or by complete omission "rather than given as [a] . . . direct quotation" in the Memorandum of Discussion (Johnson, 9/13/75, p. 14). Second, as illustrated by Douglas Dillon's testimony, the President could have made a general statement about "getting rid of" Lumumba with the intent to convey to Allen Dulles that there was implicit authorization for an assassination effort. Third, despite general discussions about removing Lumumba, the President may not have intended to order the assassination of Lumumba even though Allen Dulles may have thought an assassination effort had been authorized. The three White House staff members responsible to the President for national security affairs testified that there was no such order. Gordon Gray, Andrew Goodpaster, and John Eisenhower were all in attendance at the NSC meetings of August 18 and September 7.*

(iii) <u>The President's "Extremely Strong Feelings" Led The Special Group to Consider Anything That Might Get Rid of Lumumba: August 25, 1960</u>

On August 25, 1960 five men** attended a meeting of the

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* See Section 7(b), <u>infra</u>, for a general treatment of the testimony of Gray, Goodpaster and Eisenhower.

** There were four standing members of the Special Group at this time: Allen Dulles, Director of Central Intelligence; Gordon

Special Group, the subcommittee of the National Security Council responsible for planning covert operations. Thomas Parrott, a CIA officer who served as Secretary to the Group, began the meeting by outlining the CIA operations that had been undertaken in "mounting an anti-Lumumba campaign in the Congo" (Special Group Minutes, 8/25/60). This campaign involved covert operations through certain labor groups and "the planned attempt . . . to arrange a vote of no confidence in Lumumba" in the Congolese Senate (Special Group Minutes, 8/25/60).

The outline of this campaign evoked the following dialogue:

> The Group agreed that the action contemplated is very much in order. Mr. Gray commented, however, that his associates had expressed extremely strong feelings on the necessity for very straightforward action in this situation, and he wondered whether the plans as outlined were sufficient to accomplish this. Mr. Dulles replied that he had taken the comments referred to seriously and had every intention of proceeding as vigorously as the situation permits or requires, but added that he must necessarily put himself in a position of interpreting instructions of this kind within the bounds of necessity and capability. It was finally agreed that planning for the Congo would not necessarily rule out 'consideration' of any particular kind of activity which might contribute to getting rid of Lumumba. (Special Group Minutes, 8/25/60, p. 1.)

Both Gordon Gray and Thomas Parrott testified that reference to Mr. Gray's "associates" was a euphemism for President

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Gray, Special Assistant to the President for National Security Affairs; Livingston Merchant, Undersecretary of State for Political Affairs; and John N. Irwin II, Assistant Secretary of Defense. Also in regular attendance was Thomas A. Parrott, Secretary to the Special Group.

Eisenhower which was employed to preserve "plausible deniability" by the President of discussion of covert operations memorialized in Special Group Minutes (Gray, 7/9/75, p. 27; Parrott, 7/10/75, pp. 8-9).

The four living participants at the meeting have all stated that they do not recall any discussion of or planning for the assassination of Lumumba (Merchant affidavit, 9/8/75, p. 1; Irwin affidavit, 9/22/75, pp. 1-2; Gray, 7/9/75, pp. 27, 32; Parrott, 7/10/75, pp. 25-26). Gray said that he did not consider the President's desire for "very straightforward action" to include "any thought in his mind of assassination" (Gray, 7/9/75, p. 32). Parrott testified to the same effect, maintaining that he would have recorded a discussion of assassination in explicit terms in the Special Group Minutes if such a discussion had taken place (Parrott, 7/10/75, pp. 26-27).

John N. Irwin II acknowledged, however, that while he did not have "any direct recollection of the substance of that meeting", the reference in the minutes to the planning for "getting rid of Lumumba" was "broad enough to cover a discussion of assassination" (Irwin affidavit, 9/22/75, p. 2).

Irwin's interpretation is shared by Douglas Dillon and Richard Bissell--two high government officials who were not participants at this Special Group meeting but who were involved in the planning and policymaking for covert operations in the Congo during this period.

As a participant in National Security Council meetings of this period, Dillon said that he would read the Special Group minutes of August 25, 1960, to indicate that assassination was within the bounds of the kind of activity that might be used to "get rid of" Lumumba (Dillon, 9/2/75, p. 42). Dillon noted that the reference in the minutes to the fact that Allen Dulles stated that he "had taken the comments referred to seriously" probably pointed to the President's statement at the previous NSC meeting at which Robert Johnson took notes (Dillon, 9/2/75, pp. 39-40).

When asked whether the CIA would have the authority to mount an assassination effort against Lumumba on the basis of the discussion at the Special Group, Dillon said:

> They would certainly have the authority to plan. It is a close question whether this would be enough to actually go ahead with it. But certainly the way this thing worked, as far as I know, they didn't do anything just on their own. I think they would have checked back at least with the senior people in the State Department or the Defense Department. (Dillon, 9/2/75, p. 43.)

Dillon said that if the CIA checked with the State Department, it might have been done in such a way that it would not appear on any record (Dillon, 9/2/75, p. 43). Dillon added that "to protect the President as the public representative of the U.S. from any bad publicity in connection with this", Allen Dulles "wouldn't return to the President" to seek further

approval if an assassination operation were mounted (Dillon, 9/2/60, pp. 42-43).

Richard Bissell stated that in his opinion the language of the Special Group Minutes of August 25, 1960 indicated that the assassination of Lumumba was part of a general strategy at the NSC and within the CIA for removing Lumumba from the political scene (Bissell, 9/10/75, pp. 29, 32). Bissell added:

> The Agency had put a top priority, probably, on a range of different methods of getting rid of Lumumba in the sense of either destroying him physically, incapacitating him, or eliminating his political influence. (Bissell, 9/10/75, p. 29.)

Bissell pointed to the Special Group Minutes of August 25, 1960 as a "prime example" of the circumlocutious manner in which a topic like assassination would be discussed by high government officials:

> Bissell: When you use the language that no particular means were ruled out, that is obviously what it meant, and it meant that to everybody in the room. Meant that if it had to be assassination, that that was a permissible means.
>
> You don't use language of that kind except to mean in effect, the Director is being told, get rid of the guy, and if you have to use extreme means up to and including assassination, go ahead. (Bissell, 9/10/75, pp. 32-33.)

Bissell added that this message was, "in effect", being given to Dulles by the President through his representative Gordon Gray (Bissell, 9/10/75, p. 33).

(iv) NSC Meeting of September 21, 1960: Dulles Said Lumumba Would Remain a Grave Danger Until "Disposed Of"

In the course of his intelligence briefing to the NSC

on September 21, 1960, Allen Dulles stressed the danger of Soviet influence in the Congo. Despite the fact that Lumumba had been deposed from his position as Premier and was in UN custody, Dulles continued to regard him as a threat, especially in light of reports of an impending reconciliation between Lumumba and the post-coup Congolese government:

> Mobutu appeared to be the effective power in the Congo for the monent but Lumumba was not yet disposed of and remained a grave danger as long as he was not disposed of. (NSC Minutes, 9/21/60.)

Three days after this NSC meeting, Allen Dulles sent a personal cable to the Chief of Station in Leopoldville which included the following message:

> WE WISH GIVE EVERY POSSIBLE SUPPORT IN ELIMINATING LUMUMBA FROM ANY POSSIBILITY RESUMING GOVERNMENTAL POSITION OR IF HE FAILS IN LEOP[OLDVILLE], SETTING HIMSELF IN STANLEYVILLE OR ELSEWHERE. (CIA Cable, OUT 73573, Dulles to Leopoldville, 9/24/60.)

On September 26, Sidney Gottlieb, under assignment from CIA headquarters, arrived in Leopoldville (CIA Cable IN 18989, Leopoldville to Director, 9/27/60), provided the Chief of Station with poisons, instructed him to assassinate Lumumba, and assured him that there was Presidential authorization for this mission (see Sections 4(b)-4(c), <u>supra</u>).

Marion Boggs, NSC Deputy Executive Secretary, who wrote the memorandum of the discussion of September 21, did not interpret Dulles' remark as referring to assassination:

> I have examined the memorandum (which I prepared) summarizing the discussion of the Congo at the September 21, 1960 meeting of the NSC. I recall the discussion and believe it is accurately and adequately summarized in the memorandum. I have no recollection of any discussion of a possible assassination of Lumumba at this meeting. With specific reference to the statement of the Director of Central Intelligence . . . I believe this is almost a literal rendering of what Mr. Dulles said. My own interpretation of this statement . . . was that Mr. Dulles was speaking in the context of efforts being made within the Congolese government to force Lumumba from power. I did not interpret it as referring to assassination* (Boggs affidavit 10/10/75, pp. 2-3.)

Boggs was not, however, in a position to analyze Dulles' remark in light of the actual planning for covert operations that took place during this period because Boggs was not privy to most such discussions (Boggs affidavit, 10/10/75, p. 2).

C. Douglas Dillon, who attended this NSC meeting as Acting Secretary of State, said that he did not recall the discussion (Dillon, 9/2/75, p. 47). Dillon said that the minutes "could mean that" assassination would have been one acceptable means of "disposing of" Lumumba, although he felt that "getting him out [of the Congo] or locking him up" would have been a preferable disposition of Lumumba at that point since he was

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* NSC Executive Secretary James Lay, who was also present at the meeting of September 21, 1960, stated: "I cannot recall whether there was any discussion of assassinating Lumumba at any NSC meetings." (Lay affidavit, 9/8/75, p. 1.)

already out of office (Dillon, 9/2/75, p. 48).* When reminded of the fact that Lumumba's movement and communications were not restricted by the UN force and that the Congolese army continued to seek his arrest long after the NSC meeting, Dillon acknowledged that during this period Lumumba continued to be viewed by the United States as a potential threat and a volatile force in the Congo:

> . . . . He had this tremendous ability to stir up a crowd or a group. And if he could have gotten out and started to talk to a battalion of the Congolese Army, he probably would have had them in the palm of his hand in five minutes. (Dillon, 9/20/75, p. 49.)

John N. Irwin II, who attended the NSC meeting as Assistant Secretary of Defense, stated that although he had no recollection of the discussion, the language of the minutes was "broad enough to cover a discussion of assassination" (Irwin affidavit, 9/22/75, p. 2).

Richard Bissell testified that, based upon his understanding of the policy of the NSC toward Lumumba even after Lumumba was in UN custody, he would read the minutes of September 21 to indicate that assassination was contemplated "as one possible means"

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* See Section 3, supra, for discussion of CIA cable traffic indicating that Lumumba continued to be regarded as capable of taking over the government after he was deposed and that pressure to "eliminate" him did not cease until his death.

of "disposing of" Lumumba. (Bissell, 9/10/75, p. 70.) Bissell was not present at the NSC meeting (NSC Minutes, 9/21/60).

Bissell's opinion stands in opposition to that of Gordon Gray, the President's National Security Advisor, who likewise testified that he could not remember the NSC discussion in which he participated (Gray, 7/9/75, p. 57). When asked to interpret the reference to "disposing of" Lumumba, Gray said he "put it in the same category as 'get rid of', 'eliminate'" (Gray, 7/9/75, p. 57). Early in his testimony, Gray stated that "assassination could have been on the minds of some people when they used these words "'eliminate' or 'get rid of'" (Gray, 7/9/75, p. 17). Nonetheless, when asked to comment on the minutes of the NSC meeting of September 21, he said: "It was not my impression that we had in mind the assassination of Lumumba" (Gray, 7/9/75, p. 57).*

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* John Eisenhower, who attended the NSC meeting as Assistant White House Staff Secretary, said that he had no "direct recollection" of the discussion but he found the minutes of the meeting consonant with his "recollection of the atmosphere" at the time: "the U.S. position was very much anti-Lumumba" (Eisenhower, 7/18/75, p. 9). He said:

> I would not conjecture that the words "disposed of" meant an assassination, if for no other reason than if I had something as nasty as this to plot, I wouldn't do it in front of 21 people . . . the number present [at] the meeting. (Eisenhower, 7/18/75, p. 10.)

(b) <u>Testimony of Eisenhower White House Officials That They Knew of No Presidential Consideration of Assassination</u>

The two members of President Eisenhower's staff who were responsible for national security affairs--Gordon Gray and Andrew Goodpaster--both made general disclaimers of any knowledge of Presidential consideration of assassination during their tenure.

Gordon Gray served as Special Assistant to the President for National Security Affairs, in which capacity he coordinated the National Security Council and represented the President at Special Group meetings. Gray testified that he did not recall President Eisenhower "ever saying anything that contemplated killing Lumumba" (Gray, 7/9/75, p. 28).* When asked to interpret phrases from the minutes of particular NSC and Special Group meetings such as "getting rid of" or "disposing of" Lumumba, Gray stated:

> It is the intent of the user of the expression or the phrase that is controlling and there may well have been in the Central Intelligence Agency plans and/or discussions of assassinations, but . . . at the level of the Forty Committee [Special Group] or a higher level than that, the National Security Council , there was no active discussion in any way planning assassination.
>
> . . . I agree that assassination could have

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* At the outset of his testimony on the subject, Gordon Gray acknowledged that he did not have a clear, independent recollection of Lumumba's role in the Congo (Gray, 7/9/75, pp. 25-26).

> been on the minds of some people when they used these words 'eliminate' or 'get rid of' . . . I am just trying to say that it was not seriously considered as a program of action by the President or even the Forty [Special] Group. (Gray, 7/9/75, p. 17.)

Andrew Goodpaster, the White House Staff Secretary to President Eisenhower, said that he and Gray were the "principal channels" between the President and the CIA, outside of NSC meetings (Goodpaster, 7/17/75, p. 4). Goodpaster was responsible for "handling with the President all matters of day-to-day operations in the general fields of international affairs and security affairs" (Goodpaster, 7/17/75, p. 3). He regularly attended NSC meetings and was listed among the participants at the NSC meetings of August 18, 1960 and September 21, 1960.

When asked if he ever heard about any assassination effort during the Eisenhower Administration, Goodpaster replied unequivocally:

> . . . at no time and in no way did I ever know of or hear about any proposal, any mention of such an acitvity. . . . [I]t is my belief that had such a thing been raised with the President other than in my presence, I would have known about it, and . . . it would have been a matter of such significance and sensitivity that I am confident that . . . I would have recalled it had such a thing happened. (Goodpaster, 7/17/75, p. 5.)

John Eisenhower, the President's son who served under Goodpaster as Assistant White House Staff Secretary, stated that the use of assassination was contrary to the President's philos-

ophy that "no man is indispensable" (Eisenhower, 7/18/75, p. 14.)* As a participant at NSC meetings who frequently attended discussions in the Oval Office relating to national security affairs, John Eisenhower testified that nothing that came to his attention in his experience at the White House "can be construed in my mind in the remotest way to mean any Presidential knowledge of or concurrence in any assassination plots or plans" (Eisenhower, 7/18/75, p. 4).

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* Douglas Dillon testified that the subject of assassination never arose in his "direct dealings with either President Eisenhower or President Kennedy (Dillon, 9/2/75, p. 22). He was asked by a member of the Committee, however, to speculate upon the general philosophical approach that Presidents Eisenhower and Kennedy would have taken to decisionmaking on the question of using assassination as a tool of foreign policy:

> Senator Hart (Colorado): I would invite your speculation at this point as a sub-Cabinet officer under President Eisenhower, and as a Cabinet Officer under President Kennedy, I think the Committee would be interested in your view as to the attitude of each of them toward this subject, that is to say, the elimination, violent elimination of foreign leaders?
>
> Dillon: Well, that is a difficult thing to speculate on in a totally different atmosphere. But I think probably both of them would have approached it in a very pragmatic way, most likely, simply weighed the process and consequence rather than in a way that was primarily of a moral principle. That is what would probably have been their attitude in a few cases. Certainly the idea that this was going to be a policy of the U.S., generally both of them were very much opposed to it. (Dillon, 9/2/75, pp. 22-23.)

Dillon served as Undersecretary of State in the Eisenhower Administration and as Secretary of the Treasury under Kennedy.

Other Eisenhower Administration officials who were active in the Special Group in late 1960--Assistant Secretary of Defense John N. Irwin II, Undersecretary of State for Political Affairs Livingston Merchant, and Deputy Secretary of Defense James Douglas--stated that they did not recall any discussion about assassinating Lumumba (Irwin affidavit, 9/22/75, pp. 1-2; Merchant affidavit, 9/8/75, p. 1; Douglas affidavit, 9/5/75).

(c) Richard Bissell Testified That, Despite His Lack of a Specific Recollection, He "Strongly Inferred" That the Assassination Effort Against Lumumba Was Authorized by President Eisenhower and Allen Dulles

Richard Bissell's testimony on the question of high-level authorization for the effort to assassinate Lumumba is problematic. Bissell insisted that he had no direct recollection of receiving such authorization and that all of his testimony on this subject "has to be described as inference" (Bissell, 9/10/75, p. 48). Bissell began his testimony on the subject by asserting that it was on his own initiative that he instructed Justin O'Donnell to plan the assassination of Lumumba (Bissell, 6/11/75, pp. 54-55). Nevertheless, Bissell's conclusion--based on his inferences from the totality of circumstances relating to the entire assassination effort against Lumumba--was that an assassination attempt had been authorized at the highest levels of the government (Bissell, 9/10/75, pp. 32-33, 47-49, 60-62, 65).

As discussed above, Bissell testified that the minutes of meetings of the Special Group on August 25, 1960 and the NSC on September 21, 1960 indicate that assassination was contemplated at the Presidential level as one acceptable means of "getting rid of Lumumba" (see Sections 5(a)(ii) and 5(a)(iii), supra).

There was "no question", according to Bissell, that the cable from Allen Dulles to the Chief of Station in Leopoldville on August 26, which called for Lumumba's removal and authorized Hedgman to take action without consulting headquarters, was a direct outgrowth of the Special Group meeting Dulles had attended the previous day (Bissell, 9/10/75, pp. 31-32). Bissell was "almost certain" that he had been informed about the Dulles cable shortly after its transmission (Bissell, 9/10/75, p. 12). Bissell testified that he assumed that assassination was one of the means of removing Lumumba from the scene that is contemplated within the language of Dulles' cable (Bissell, 9/10/75, p. 32):

> It is my belief on the basis of the cable drafted by Allen Dulles that he regarded the action of the Special Group as authorizing implementation [of an assassination] if favorable circumstances presented themselves, if it could be done covertly. (Bissell, 9/10/75, pp. 64-65.)

Dulles' cable signalled to Bissell that there was Presidential authorization for him to order action to assassinate Lumumba (Bissell, 9/10/75, pp. 61-62):

Q: Did Mr. Dulles tell you that President Eisenhower wanted Lumumba killed?

Mr. Bissell: I am sure he didn't.

Q: Did he ever tell you even circumlocutiously through this kind of cable?

Mr. Bissell: Yes, I think his cable says it in effect. (Bissell, 9/10/75, p. 33.)

As for discussions with Dulles about the source of authorization for an assassination effort against Lumumba, Bissell stated:

> I think it is probably unlikely that Allen Dulles would have said either the President or President Eisenhower even to me. I think he would have said, this is authorized in the highest quarters, and I would have known what he meant. (Bissell, 9/10/75, p. 48.)

When asked if he had sufficient authority to move beyond the consideration or planning of assassination to order implementation of a plan, Bissell said, "I probably did think I had [such] authority" (Bissell, 9/10/75, pp. 61-62).

When informed about the Chief of Station's testimony about the instructions he received from Gottlieb, Bissell said that despite his absence of a specific recollection:

> I would strongly infer in this case that such an authorization did pass through me, as it were, if Sid Gottlieb gave that firm instruction to the Station Chief. (Bissell, 9/10/75, p. 40.)

Bissell said that the DCI would have been the source of this authorization (Bissell, 9/10/75, p. 40).

Bissell did not recall being informed by Gottlieb that Gottlieb had represented to the Chief of Station that there was Presidential authorization for the assassination of Lumumba (Bissell, 9/10/75, p. 46). But Bissell said that assuming he had instructed Gottlieb to carry poison to the Congo, "there was no possibility" that he would have issued such an instruction without authorization from Dulles (Bissell, 9/10/75, p. 47). Likewise Bissell said he "probably did" tell Gottlieb that the mission had the approval of President Eisenhower (Bissell, 9/10/75, p. 47). This led to Bissell's conclusion that if, in fact, the testimony of the Chief of Station about Gottlieb's actions is accurate, then Gottlieb's actions were fully authorized:

> Q: In light of the entire atmosphere at the Agency and the policy at the Agency at the time, Mr. Gottlieb's representation to the Chief of Station that the President had instructed the DCI to carry out this mission would not have been beyond the pale of Mr. Gottlieb's authority at that point?
>
> Bissell: No, it would not. (Bissell, 9/10/75, p. 65).

Bissell further stated:

> Knowing Mr. Gottlieb, it is literally inconceivable to me that he would have acted beyond his instructions. (Bissell, 9/10/75, p. 41.)

With respect to his assignment to Justin O'Donnell to "plan and prepare for" the assassination of Lumumba (Bissell, 9/10/75, p. 24) Bissell testified that "it was my own idea to give

O'Donnell this assignment" (Bissell, 9/10/75, p. 50). But he said that this specific assignment was made in the context that an assassination mission against Lumumba already had authorization above the level of DDP (Bissell, 9/10/75, p. 50; see also pp. 32-33, 47-48, 60-62).

The "Executive Action" Capability

Along with the question of authorization for actual assassination attempts, the Committee considered the extent and nature of authorization for a CIA project which included, as one element, the development of an assassination capability.

(a) Introduction

Sometime in early 1961, Richard Bissell (Deputy Director of Plans) instructed William Harvey, who was at that time the Chief of one of CIA's Foreign Intelligence staffs, to establish an "executive action capability" which included research into a capability to assassinate foreign leaders. (Bissell 6/9/75, p. 51; Harvey 6/25/75, pp. 36-37.) At some time within the same period, Bissell and McGeorge Bundy (Special Assistant to the President for National Security Affairs) had a conversation about the matter.

Bissell, Harvey and Helms all agreed that the "generalized" capability was never used" (Bissell 6/9/75, p. 87; Harvey 6/25/75, p. 45; Helms 6/13/75, p. 52). Note conflict

"Executive action" is a CIA euphemism, defined by the testimony before the Committee as a project for research into developing means for overthrowing foreign political leaders, including a "capability to perform assassinations". (Harvey 6/25/75, p. 34.) Bissell indicated that executive action covered a "wide spectrum of actions" to "eliminate the effectiveness" of foreign leaders, with assassination as the "most extreme" action on the spectrum (Bissell, 7/22/75, p. 32). The Inspector General's Report

described executive action as a "general stand-by capability" to carry out assassination when required (I.G., p. 37). The project was given the code name ZR/RIFLE by the CIA.*

A single agent ("asset"), given the cryptonym QJ/WIN, was placed under Harvey's supervision for the ZR/RIFLE project, but never used in connection with any actual assassination efforts. Richard Helms described QJ/WIN's "capability":

> "If you needed somebody to carry out murder, I guess you had a man who might be prepared to carry it out." (Helms, 6/13/75, p. 53).

Harvey did use agent QJ/WIN, however, to spot "individuals with criminal and underworld connections in Europe for possible multi-purpose use" (Harvey, 6/25/75, p. 50). For example, QJ/WIN reported that a potential asset in the Middle East was "the leader of a gambling syndicate" with "an available pool of assassins" (CIA file, ZR/RIFLE/Personality Sketches).

However, Harvey testified that:

> "during the entire existence of the entire ZRRIFLE project . . . no agent was recruited for the purpose of assassination, and no even tentative targeting or target list was ever drawn." (Harvey, 6/25/75, p. 45.)

Project ZR/RIFLE involved, generally, assessing the problems and requirements of assassination and developing a stand-

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* ZR/RIFLE was a cryptonym relating to two programs. One was the executive action assassination capability. The other was another program which is not part of the subject matter of this report. (William Harvey had been in charge of the CIA section with general responsibility for such programs.) This second program was genuine, but it was also to provide a cover for any executive action operation. (Harvey, 6/25/75, p. 49.)

by assassination capability; more specifically, it involved "spotting" potential agents and "researching" assassination techniques that might be used (Bissell, 7/17/75, p. 11 and 6/9/75, p. 73; Harvey, 6/25/75, pp. 37-A, 45). Bissell characterized Project ZR/RIFLE as "internal and purely preparatory" (Bissell, 7/22/75, p. 32). The I.G. Report of 1967 found "no indication in the file that the Executive Action Capability of ZR/RIFLE-QJ/WIN was ever used", but said that "after Harvey took over the Castro operation, he ran it as one aspect of ZR/RIFLE". (I.G. pp. 40-41.)*

(b) The Question of White House Initiation, Authorization, or Knowledge of the Executive Action Project

There is general agreement on one fact: at some point in early 1961 Bissell discussed the executive action capability with Bundy. The timing of that conversation and whether "the White House" urged that a capability be created were matters on which the evidence varied widely.

Harvey testified that Bissell had told him that "the White House" had twice urged the creation of such a capability and the Inspector General's Report quoted notes of Harvey's (no longer in existence) to that effect. Bissell did not recall any specific conversation with the "White House". However, his initial testimony assumed the correctness of Harvey's notes, and stated

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* A discussion of whether ZR/RIFLE was related to the actual assassination efforts against Castro is found at Section (d), infra.

that, while he could have created the capability on his own, any urgings would have come from Bundy or Walt Rostow. In a later appearance, however, Bissell said he merely informed Bundy of the capability and that the context was a briefing by him and not urging by Bundy. Bundy said he received a briefing and gave no urging, though he raised no objections. Rostow said he never heard of the project.

William Harvey testified that he was "almost certain" that on January 25 and 26, 1961, he met with CIA officials Sidney Gottlieb, the new Chief of CIA's Technical Services Division, and Arnold Silver, a CIA recruiting officer, to discuss the feasibility of creating a capability within the Agency for "executive action" (Harvey, 6/25/75, p. 52). After reviewing his notes of those meetings,* Harvey testified that they took place after his initial

Names Accuracy

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* As to the date of these notes, Harvey was asked whether his notations "25/1-Sid G" and "26/1-AS" indicate that he spoke to Sidney Gottlieb and Arnold Silver in 1961, as opposed to 1962. Harvey testified as follows:

> Q: And is it your judgment that that is January 26, 1961 and is about the subject of Executive Action?
>
> Harvey: Yes, it is.
>
> Q: And it followed your conversation with Mr. Bissell that you have recounted?
>
> Harvey: . . . [W]ell, when I first looked at this, I thought this, well, this has got to be '62, but I am almost certain now that it is not. If this is true, this might place the first discussion that I had with Dick Bissell in early January and this is difficult to pinpoint because there were several such discussions in varying degrees of detail during the period in the spring, and very early in '61 to the fall of '61 period, but I did find out fairly early on that Silver

discussion of executive action with Bissell, which, he said, might have transpired in "early January" (Harvey, 6/25/75, p. 52). When Bissell was shown these notes, he agreed with Harvey about the timing of their initial discussion (Bissell, 7/17/75, p. 10).

> had -- or that Bissell had discussed the question of assassination with Arnold Silver, and this discussion, at the very least, had to take place after I know Bissell already had discussed the matter with Silver. (Harvey, 6/25/75, p. 52).

Harvey had also testified that, after receiving Bissell's initial instructions to establish an executive action capability:

> the first thing I did . . . was discuss in theoretical terms with a few officers whom I trusted quite implicitly the whole subject of assassination, our possible assets, our posture, going back, if you will, even to the fundamental questions of A, is assassination a proper weapon of an American intelligence service, and B, even if you assume that it is, is it within our capability within the framework of this government to do it effectively and properly, securely and discreetly. (Harvey, 6/25/75, pp. 37-A, 38).

The Inspector General's Report connected Silver and Gottlieb to the early stages of the executive action project as follows:

> Harvey says that Bissell had already discussed certain aspects of the problem with Arnold Silver and with Sidney Gottlieb. Since Silver was already cut in, Harvey used him in developing the Executive Action Capability.... Harvey's mention of him [Gottlieb] in this connection may explain a notation by Dr. Gunn that Harvey instructed Gunn to discuss techniques with Gottlieb without associating the discussion with the Castro operation. (I.G. Report, pp. 37-38).

It is evident from the testimony of Harvey and Bissell that the turnover to Harvey of the Roselli contact in November 1961 was discussed as part of ZRRIFLE (see Section (d), <u>infra</u>). Thus, their initial discussion of executive action can, at the least, be dated before November 1961 and the "25/1" and "26/1" notations would have to refer to January 1961.

Harvey testified that the "executive action" capability was intended to include assassinations (Harvey, 6/25/75, p. 35). His cryptic handwritten notes of the January 25/26 meetings, preserved at the CIA, contain phrases which suggest a discussion of assassination--and Harvey confirmed this interpretation: "last resort beyond last resort and a confession of weakness", "the magic button", and "never mention word assassination". (Harvey, Ex. 1, 6/25/75).*

The Inspector General's Report did not mention these notes, or their dates. However, in describing Richard Bissell's initial assignment of the "executive action" project to Harvey, it referred to another set of Harvey's notes, which were destroyed after the preparation of the Report. The excerpt from these notes quoted Bissell as saying to Harvey, "The White House had twice urged me to create such a capability" (I.G., P. 37). Harvey also testified that this "urging" was mentioned in his initial discussion of "executive action" with Bissell (Harvey, 6/25/75, p. 37). However, the testimony from Bissell and White House aides in the Kennedy and Eisenhower Administrations is in conflict with Harvey's testimony as to whether such "urging" had in fact been given to Bissell.

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* Harvey's notes also contained a phrase which suggests his concern that any U.S. assassination attempts might breed retaliation from other governments: "dangers of RIS (Russian Intelligence Service) counter-action and monitor if they are blamed." (Harvey, Ex. 1, 6/25/75; Bissell, Ex. 1, 7/17/75).

The following testimony regarding the relationship between "the White House" and the executive action capability was obtained by the Committee:

Harvey: Harvey testified that his missing notes indicated that Bissell mentioned White House urgings to develop an executive action capability (Harvey, 6/25/75, p. 37). Harvey said that he "particularly remember[ed]" that Bissell said that he received "more than one" urging from the White House (Harvey, 6/25/75, pp. 36-37; 7/11/75, p. 59). However, he had no direct evidence that Bissell actually had any such discussion with "the White House." No specific individual in the White House was named to Harvey (Harvey, 6/25/75, p. 31). Moreover, he said that it would have been "improper" for him to have asked Bissell who he had talked to and "grossly improper" for Bissell to have volunteered that name (Harvey, 6/25/75, p. 37).

Bissell: Bissell specifically recalled assigning Harvey to investigate the capability (Bissell, 6/9/75, p. 51). However, Bissell did not recall "a specific conversation with anybody in the White House as the origin" of his instruction to Harvey (Bissell, 6/9/75, p. 51).

During the course of several appearances before the Committee, Bissell's testimony varied as to whether or not he had been urged by the White House to develop an executive action capability.

In his initial appearances before the Committee on June 9 and 11, 1975, Bissell made statements that tended to indicate that White House authorization had been given. In response to the "twice urged" quotation of Harvey's notes in the Inspector General's Report, Bissell said, "I have no reason to believe that Harvey's quote is wrong." (Bissell, 6/9/75, p. 51). Bissell accordingly said in his initial testimony that as far as he knew, it was true that he was asked by the White House to create a general stand-by assassination capability. (Bissell, 6/9/75, p. 49).

Based again upon Harvey's missing notes ("White House urging") and his initial statement that he had no reason to challenge their accuracy, Bissell initially gave the opinion that McGeorge Bundy (Id., 6/9/75, p. 49), Special Assistant to President Kennedy for National Security Affairs, and Walt Rostow (Id., p. 51), Deputy Assistant to President Kennedy during 1961, were the two people from whom such a request was most likely to have come (Id., p. 53) because they were "the two members of the White House staff who were closest to CIA operations." (Id., p. 54).

At another point in his initial testimony, Bissell said that the creation of the capability "may have been initiated within the Agency" (Id., p. 81). And still later he said: "there is little doubt in my mind that Project RIFLE was discussed with Rostow and possibly Bundy" (Bissell, 6/11/75, p. 46).

When Bissell returned to the Committee on July 17 and 22, his testimony, given in light of information gained since his earlier

appearances, was that there was no White House urging for the creation of the executive action project, although tacit approval for the "research" project was probably given by Bundy after it was established.

First, he was shown the Harvey notes which had been preserved and which, without any mention of the White House, indicated Harvey had received his assignment prior to January 25/26, 1961. Those dates -- just 5 days after the change of administration -- made Bissell conclude that it was "very unlikely that that assignment to [Harvey] was taken as a result of White House urging or consultation" (Bissell, 7/17/75, p. 10). Bissell said that Bundy did not have any influence on the performance of his Agency duties before the Presidential inauguration (Bissell, 7/22/75, p. 23). Bissell added that he did not remember meeting with anyone in the new administration on matters prior to the inauguration (Bissell, 7/22/75, p. 23).

Second, when he returned in July, Bissell also said he was convinced by telephone conversations with Rostow and Bundy that based upon Rostow's duties -- which, in 1961, had nothing to do with covert action -- he "never discussed" executive action with Rostow (Bissell, 7/17/75, p. 10; 7/27/75, p. 22).

As for Bundy, Bissell's final testimony (after telephone contact with Bundy) was that he believed that he had informed Bundy about the capability after it had been created (Bissell, 7/17/75, pp. 10-11; 7/22/75, pp. 21-22). But Bissell confirmed his original testimony (6/9/75, pp. _____) that he did not brief Bundy on the

actual assassination plots against Castro already undertaken by the CIA (Bissell, 6/11/75, p. 47; 7/22/75, p. 31). Bissell was "quite certain" that he would not have expected Bundy to mention the executive action capability to the President. (Bissell, 7/22/75, p. 35). Bissell testified:

> Q. Would you think the development of a capability to kill foreign leaders was a matter of sufficient importance to bring to the attention of the President?
>
> Bissell: In that context and at that time and given the limited scope of activities within that project, I would not." (Bissell, 7/22/75, p. 35).

Bissell said that he and Bundy spoke about an untargeted "capability" rather than the plan or approval for an assassination operation (Bissell, 7/17/75, p. 11). Bissell said that although he does not have a specific recollection, he "might have" mentioned Castro, Lumumba, and Trujillo in the course of a discussion of executive action "because these were the sorts of individuals at that moment in history against whom such a capability might possibly have been employed." (Bissell, 6/11/75, pp. 50-51).

Bissell said his impression was that Bundy, in addition to expressing no unfavorable reaction to the project, might have actually given a more affirmative reaction (Bissell, 7/22/75, pp. 25, 28). Bissell testified that he might have interpreted Bundy's reaction as approval for the executive action concept (Bissell, 7/22/75, p. 30).

> Q: ... I think the testimony of this witness is going further in saying what you received from (Bundy) was, in your view, tantamount to approval?
>
> Bissell: I, at least, interpreted it as you can call it approval, or you could say no objection. He (Bundy)

> was briefed on something that was being done, as I now believe, on the initiative of the Agency. His (Bundy's) comment is that he made no objection to it. I suspect that his reaction was somewhat more favorable than that, but this is a matter that probably someone listening to the conversation on which such a person could have had differing interpretations. (Bissell, 7/22/75, p. 33).

Bissell's testimony on any conversation with Bundy regarding executive action was speculative reconstruction from first appearance to last because he had no "clear recollection" of the events (Bissell, 7/22/75, pp. 29, 36). But Bissell maintained that more "formal and specific and explicit approval would have been required" before any "actual overt steps in use of the capability." (Bissell, 7/22/75, p. 31).

Bissell said that Harvey's notation about White House urgings to develop an executive action capability may have been a slightly confused account of a conversation subsequent to the initiation of the project in which Bissell relayed Bundy's reaction to Harvey (Bissell, 7/22/75, p. 25).

Bissell testified that the development of an executive action capability was "undoubtedly" initiated within the Agency (Bissell, 7/22/75, p. 22). He had acknowledged on his first day of testimony that this would not have been unusual:

> it was the normal practice in the Agency and an important part of its mission to create various kinds of capability long before there was any reason to be certain whether those would be used or where or how or for what purpose. The whole ongoing job of ... a secret intelligence service of recruiting agents is of that character.... So it would not be particularly surprising to me if the

> decision to create ... this capability had been taken without an outside request. (Bissell, 6/9/75, pp. 67-68).*

Bundy: McGeorge Bundy also testified that he had a conversation with Bissell, during which the executive action capability was discussed (Bundy, pp. 4-5). Bundy's testimony comports with Bissell's on the fact that they spoke about an untargeted capability, rather than an assassination operation (Bundy, pp. 4-5). But Bundy said that the capability included "killing the individual" (Bundy, p. 5).** Bundy's impression was that the CIA was "testing my reaction," not "seeking authority" (Bundy, p. 15). Bundy summarized his testimony by saying:

> I am sure I gave no instruction. But it is only fair to add that I do not recall that I offered any impediment either. (Bundy, p. 10)

Bundy said that he did not take steps to halt the development of the executive action capability or "pursue the matter at all" (Bundy, p. 19) because he was satisfied

> that this was not an operational activity, and would not become such without two conditions: first, that there be a desire or a request or a guidance that there should be planning against some specific individual; and second, that there should be a decision to move against the individual. (Bundy, p. 7).

* For example, Bissell testified that on his own initiative, he had requested a CIA officer to go to the Congo to "make plans and develop the capability" for an assassination attempt against Lumumba, if ordered (Bissell, 6/11/75, p. 55).

** Bundy also testified that he had a vague recollection of hearing about poison in relation to Cuba, but he did not connect this to the conversation about executive action. (See footnote, p. 6, Kennedy Pre-Bay of Pigs section, *supra*.)

Bundy testified that he believed that neither of these conditions had been fulfilled (Bundy, p. 7).

Bundy recalled the conversation as taking place "sometime in the early months of 1961." (Bundy, p. 4). When questioned about the dates in Harvey's notes, Bundy rated the chance that the conversation about executive action took place before January 25 -- when Harvey was already discussing the project at the CIA pursuant to Bissell's directive -- as "near zero" because the new Administration had been in office less than a week and he had been preoccupied with other problems, including the Berlin crisis and reorganizing the National Security staff (Bundy, p. 9).

Bundy testified that he did not brief the President on the executive action project:

> Chairman: And you have testified that you did not take the matter to the President?
>
> Bundy: As far as I can recall, Mr. Chairman. (Bundy, p. 16)

Bundy explained that the division of responsibility for national security affairs excluded Rostow from jurisdiction over covert operations, making it unlikely that Rostow would be briefed on a project like ZRRIFLE (Bundy, p. 11; Rostow, p. 11).

Rostow: Rostow testified that he was "morally certain" that during his entire tenure in government, he never heard a reference to executive action or "such a capability or such an intention to act by the U.S." (Rostow, pp. 10, 13).

<u>Goodpaster and Gray:</u> The responsibility for national security affairs during the latter part of the Eisenhower Administration was borne by Andrew Goodpaster and Gordon Gray. However, there was no evidence which raised the name of either man in connection with the development of an executive action capability. Both Goodpaster and Gray testified to having no knowledge of it. (Goodpaster, p. 11; Gray, p. 56.)

(c) <u>Authorization or Knowledge of Executive Action Project by DCI</u>

Richard Bissell said he was "quite certain" that Allen Dulles had full knowledge of the executive action project for two reasons: first, it "would have come to the DCI's attention" at the time of the transfer of William Harvey between components of the Agency to work on Cuban operations;* and second, Bissell "would imagine" it was mentioned to Dulles at the initiation of the project (Bissell, 7/22/75, p. 35). Bissell and Harvey briefed Richard Helms on Project ZRRIFLE when he became DDP (Bissell, 6/11/75, p. 53; Harvey, 7/11/75, p. 63). But Bissell did not recall briefing John McCone about the project when McCone took over as DCI (Bissell, 7/17/75, p. 11). McCone testified that he had no knowledge of such a project (McCone, p. 43).

William Harvey said it was assumed that the project was within the parameters permitted by the DCI. But Harvey testified that officially advising the DCI of the existence of the project

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* Harvey's transfer to Cuban operations was not completed until late in 1961.

was "a bridge we did not cross" and would not have crossed until "there was either specific targeting or a specific operation or a specific recruitment." (Harvey, 6/25/75, p. 59).

(d) The Question of Whether Project ZRRIFLE was Connected to Any Actual Assassination Plots

The Committee has sought to determine whether the CIA development of an executive action capability was related in any way to the actual assassination efforts. One question raised by this inquiry is whether the participants in the assassination operations might have perceived the executive action capability as in some way lending legitimacy to the actual assassination efforts.

(i) Conversation Between Bissell and Bundy

In his early testimony, Bissell said he did not have a recollection of whether he discussed the names of Castro, Lumumba, and Trujillo with anyone in the White House in the course of discussing the project to develop an executive action capability (Bissell, 6/11/75, p. 51). However, Bissell testified that it was "perfectly plausible that I would have used examples" (Bissell, 6/11/75, p. 51). He continued:

> in such a discussion of a capability, I might well have used the three names that I just gave, because these were the sorts of individuals at that moment in history against whom such a capability might possibly have been employed." (Bissell, 6/11/75, p. 51).

Bissell and Bundy both testified, however, that their discussion of the development of the capability for assassination did not involve any mention of actual assassination plans or

attempts (see detailed treatment at Section (b), supra). There is no testimony to the contrary. The account of this conversation raises a question as to whether Bissell acted properly in withholding from Bundy the fact that assassination efforts against Castro had already been mounted and were moving forward. Bundy was responsible to a new President for national security affairs and Bissell was his principal source of information about covert operations at the CIA.

OR Bundy acted properly in not giving attention

(ii) Bissell's Instruction to Take Over Responsibility for Underworld Contact: November 1961

Both Bissell and Harvey recall a meeting in November 1961 in which Harvey was instructed to take over the contact with John Roselli (Bissell, 6/11/75, pp. 19, 47; Harvey, 6/25/75, p. 86; and 6/11/75, p. 19)--which had been used for the initial poison pill plot as part of Project ZR/RIFLE. Harvey's notes placed the meeting on November 15, 1961 (I.G., p. 39), during the period in which Harvey was freed from his duties on another Agency staff to take over direction of Task Force W, the locus of CIA activity against the Castro regime.

According to Bissell and Harvey, the November meeting involved only the planning and research of a capability rather than a targeted operation against Castro (Bissell, 7/17/75, p. 13; Harvey, 7/11/75, p. 60). But Bissell acknowledged that the purpose of the Roselli contact had been to assassinate Castro, and that "it is a fair inference that there would have been no reason to maintain

it [the contact] unless there was some possibility of reactivating that operation" (Bissell, 6/11/75, p. 19). Bissell stated that because the assassination plot against Castro involving the syndicate

> had been stood down after the Bay of Pigs . . . and there was no authorization to pursue it actively . . . the responsibility that was given to him [Harvey] was that of taking over an inactive contact." (Bissell, 7/17/75, p. 14)

Bissell said that he had, in effect, asked Harvey to stand watch over the contact in case any action should be required and further testified that it was never required.

The Inspector General's Report stated: "After Harvey took over the Castro operation, he ran it as one aspect of ZRRIFLE." (I.G., p. 40). Harvey recalled that during a discussion with Bissell of the creation of an executive action capability, Bissell advised him of "a then going operation" involving the names of Maheu and possibly Roselli and Giancana, "which was a part of the Agency's effort to develop . . . a capability for executive action." (Harvey, 7/11/75, pp. 55, 61). Harvey said that at the time of this discussion, the operation had been "in train" for "approximately two years or perhaps 18 months." (Harvey, 7/11/75, p. 54).

Although his "net impression" was that both the "exploratory project" and the "specific operation" were "fully authorized and approved", Harvey said he could not testify that "specific White House authority for this given operation was implied or stated". (Harvey, 7/11/75, p. 54.) Bissell does not recall telling anyone in the White House that something had been done to

bring a CIA officer together with the criminal syndicate (Bissell, 6/11/75, pp. 19-20). Harvey did not recall any mention of the White House or any higher authority than the DDP in his November meeting with Bissell (Harvey, 7/11/75, pp. 60-61).

Although Richard Helms was briefed and given administrative responsibility (as DDP) for Project ZR/RIFLE three months later, he did not recall that ZR/RIFLE was ever contemplated as a capability to assassinate Castro (Helms, 6/13/75, p. 55). Asked whether the actual assassination efforts against Castro were related to ZR/RIFLE (executive action), Helms testified: "In my mind those lines never crossed" (Helms, 6/13/75, p. 52). However, Bissell's testimony leaves more ambiguity: "the contact with the syndicate which had Castro as its target . . . folded into the ZR/RIFLE project . . . and they became one" (Bissell, 6/11/75, p. 47). When asked by Senator Baker whether the executive action "capability . .. for assassination" was "used against Castro", Bissell replied that it was "in the later phase". (Bissell, 6/11/75, p. 47). The instruction from Bissell to Harvey on November 15, 1961, however, preceded the reactivation of the CIA-syndicate assassination operation against Castro by approximately five months.

(iii) <u>Use of Agent QJ/WIN in Africa</u>

QJ/WIN was a foreign citizen with a criminal background who had been recruited by the CIA for certain sensitive programs involving surreptitious entries which pre-dated Project

ZR/RIFLE. Harvey testified that QJ/WIN's function after the advent of Project ZR/RIFLE in 1961 was restricted to the "spotting" of potential assets for "multi-purpose" covert use.

However, in the Fall of 1960--before Harvey was assigned to create Project ZR/RIFLE by Richard Bissell--agent QJ/WIN had been dispatched to the Congo by Arnold Silver, his supervising CIA case officer in Europe. William Harvey, as the Chief of the CIA Foreign Intelligence staff on which Silver worked, had ordered QJ/WIN's mission to the Congo (CIA Dispatch AUDW-147, 11/2/60) and arranged the financial accounting for the mission afterward (Memorandum to Finance Division from William K. Harvey, 1/11/61). [QJ/WIN's activities in the Congo are treated in detail in the discussion of the Lumumba case; see Section ___, *supra*.]

There are two factors which may raise a question as to whether QJ/WIN was being used in an *ad hoc* capacity to develop an assassination capability before ZR/RIFLE was formally initiated. First, there is a similarity in the cast of characters: Harvey, QJ/WIN, Silver, and Gottlieb were connected with the Lumumba matter and reappear in connection with the subsequent development of ZR/RIFLE. Second, Bissell informed Harvey that the development of an assassination capability had already been discussed with Silver and Gottlieb before Harvey's assignment to ZR/RIFLE (Harvey, 6/25/75, p. 52; I.G. Report, pp. 37-38).

Nevertheless, there does not appear to be any firm evidence of a connection between QJ/WIN and the plot to assassinate Lumumba.

FINAL DRAFT

TOP SECRET

R948

TRUJILLO

Agreed to by drafting subcommittee on August 28, 1975*

Summary

Rafael Trujillo was assassinated by a group of Dominican dissidents on May 30, 1961.

Trujillo was a brutal dictator, and both the Eisenhower and Kennedy Administrations encouraged the overthrow of his regime by Dominican dissidents. Toward that end the highest policy levels of both Administrations approved or condoned supplying arms to the dissidents. Although there is no evidence that the United States instigated any assassination activity, certain evidence tends to link United States officials to the assassination plans.

Material support, consisting of three pistols and three carbines, was supplied to various dissidents. While United States' officials knew that the dissidents intended to overthrow Trujillo, probably by assassination, there is no direct evidence that the weapons which were passed were used in the assassination. The evidence is inconclusive as to how high in the two Administrations information about the dissidents' assassination plots had been passed prior to the spring of 1961.

Beginning in March of 1961, the dissidents began asking United States officials for machine guns. By the time four M-3 machine guns were shipped to the CIA Station Chief in the Dominican capitol in April, it was well known that the dissidents wanted them for use in connection with the assassination. Thereafter, however, permission to deliver the machine guns to the dissidents was denied, and the guns were never passed. Two days before the assassination, President Kennedy personally authorized a cable to the U.S. Consul General

* The second paragraph under V.A.3.c. and the paragraph under VII.C. were drafted pursuant to the directions of the Subcommittee but have not been reviewed by the Subcommittee.

in the Dominican Republic stating that the United States government, as a matter of general principle, could not condone political assassinations, but at the same time indicating the United States continued to support the dissidents and stood ready to recognize them in the event they were successful in their endeavor to overthrow Trujillo.

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I. Background

Rafael Trujillo came to power in the Dominican Republic in 1930. For most of his tenure, the United States government supported him and he was regarded throughout much of the Caribbean and Latin America as a protege of the United States. Trujillo's rule, always harsh and dictatorial, became more arbitrary during the 1950's. As a result, the United States States' image was increasingly tarnished in the eyes of many Latin Americans.

Increasing American awareness of Trujillo's brutality and fear that it would lead to a Castro-type revolution caused U.S. officials to consider various plans to hasten his abdication or downfall.

As early as February 1960 the Eisenhower administration gave high level consideration to a program of covert aid to Dominican dissidents. (Special Group minutes, 2/10/60). In April 1960 President Eisenhower approved a contingency plan for the Dominican Republic which provided, in part, that if the situation deteriorated still further:

> "...the United States would immediately take political action to remove Trujillo from the Dominican Republic as soon as a suitable successor regime can be induced to take over with the assurance of U.S. political, economic, and -- if necessary -- military support." (Memo from Secretary of State Herter to the President, 4/14/60; Presidential approval indicated in Herter letter to Secretary of Defense Gates, 4/21/60.)

Simultaneously, the United States was trying to organize hemispheric opposition to the Castro regime in Cuba. Latin

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American leaders, such as President Betancourt of Venezuela, pressed the United States to take affirmative action against Trujillo to dispel criticism that the U.S. opposed dictatorships of the left only. A belief that Castro's road to power was paved by the excesses of Batista led to concern that the Dominican Republic might also eventually fall victim to a Castro-style Communist regime. (Rusk, pp. 8,9)

II. Initial Contact with Dissidents and Request for Arms

During the spring of 1960, the U.S. ambassador to the Dominican Republic, Joseph Farland, made initial contact with dissidents who sought to free their country from Trujillo's grasp. They asked for sniper rifles. Although documentary evidence indicates that a recommendation to provide these rifles was approved both within the State Department and the CIA, the rifles were never provided.

A. Dissident Contacts

Ambassador Farland established contact with a group of dissidents regarded as moderate, pro-U.S. and desirous of establishing a democratic form of government.* (Farland affidavit) Prior to his final departure from the Dominican Republic in May 1960, the Ambassador introduced his Deputy-Chief-of-Mission, Henry Dearborn, to the dissident leaders, indicating that

* This loosely-organized group, with which contact was established, was referred to in cables, correspondence, and memoranda as "the dissidents" and is so referenced herein.

Dearborn could be trusted. Then on June 16, 1960, CIA Headquarters* cabled a request that Dearborn become the "communications link" between the dissidents and CIA. The cable /stated/ that Dearborn's role had the "unofficial approval of /Assistant Secretary of State for Inter-American Affairs, Roy R./ Rubottom" (Emphasis in original.) (HQS to Station cable 6/16/60).

Dearborn agreed. He requested, however, that the CIA confirm the arrangement with the dissidents as being that the U.S. would "clandestinely" assist the opposition to "develop effective force to accomplish Trujillo overthrow," but would not "undertake any overt action itself against Trujillo government while it is in full control of Dominican Republic" (Station to HQS cable 6/17/60). CIA Headqaurters confirmed Dearborn's understanding of the arrangement (HQS to Station cable 6/19/60).

B. The Sniper Rifles

During the course of a cocktail party in the Dominican Republic, a leading dissident made a specific request to Ambassador Farland for a limited number of rifles with telescopic sights. The Ambassador promised to pass on the request (Farland affidavit) He apparently did so after returning to Washington in May 1960 (CIA memorandum for the record, 6/7/61).

* As used herein "Headquarters" refers to Headquarters of the Central Intelligency Agency; "Department" indicates the Department of State.

Documents indicate that consideration was given within the CIA to airdropping rifles into the Dominican Republic. At a June 21, 1960, meeting with Ned Holman of the CIA Western Hemisphere Division, Ambassador Farland reportedly suggested possible sites for the drops.
(CIA memo, 6/21/60)

Documents also indicate that a meeting was held around the end of June 1960 between Assistant Secretary of State for Inter-American Affairs Roy R. Rubottom and Col. J. C. King, Chief of CIA's Western Hemisphere Division. Apparently King sought to learn the Assistant Secretary's view regarding "To what extent will the U.S. government participate in the overthrow of Trujillo." A number of questions were raised by King, among them:

> "c. Would it provide a small number of sniper rifles or other devices for the removal of key Trujillo people from the scene?"

King's handwritten notes indicate that Rubottom's response to that question was "yes" (CIA memo of 6/28/60; King affidavit)*/

On July 1, 1960, a memorandum directed to General Cabell, the Acting Director of Central Intelligence, was prepared for Colonel King's signature and, in his absence, signed by his principal deputy, Rudy Gomez (I.G. Report, p. 26). The memorandum stated that a principal leader of the anti-Trujillo opposition had asked Ambassador Farland for a limited number of arms to precipitate Trujillo's overthrow, and recognized that such arms

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* Neither King nor Rubottom recalls such a meeting, nor does either recall any proposal for supplying sniper rifles. (Rubottom affidavit, King affidavit.)

"presumably would be used against key members of the Trujillo régime." The memorandum recommended that the arms be provided, since the fall of the Trujillo regime appeared inevitable, and therefore U.S. relations with the opposition should be as close as possible. "Providing the arms as requested would contribute significantly toward this end."
(CIA memo, 7/1/60)

Specifically, the recommendation was to deliver to dissidents in the Dominican Republic 12 sterile* rifles with telescopic sights, together with 500 rounds of ammunition.

Paragraph 4 of the memorandum stated:

> "4. Approval for delivery of these arms has been given by Assistant Secretary of State Roy Rubottom, who requests that the arms be placed in hands of the opposition at the earliest possible moment." (Id.)

Gomez's recommendation was concurred in by Richard Helms, as Acting DDP, and approved by General Cabell, (I.G. Report, p. 26).

The kind of arms approved, sterile rifles with telescopic sights, together with the statement that they would be presumably used against key members of the Trujillo regime clearly indicated the "targeted use" for which the weapons were intended. (Bissell, 7/22/75, p. 77).

On July 1, 1960, a cable was sent to Dearborn by CIA Headquarters informing him of the plan to airdrop 12 telescopically-sighted rifles into the Dominican Republic. The

*"Sterile" rifles are "untraceable" rifles. (Bissell, 7/22/75, p.69)

cable inquired whether the dissidents had the capability to realign the sights if thrown off by the drop. On July 14, 1960, Dearborn replied that the dissident leaders were against any further action in the Dominican Republic until after resolution by the OAS of a Venezuelan complaint then pending against Trujillo. The dissidents reportedly believed that sufficiently strong action by the OAS could bring Trujillo's downfall without further effort on their part. (Station to HQS cable, 7/14/60) The 12 sniper rifles were never furnished to the dissidents.

On August 26, 1960, Dearborn cabled Deputy Assistant Secretary of State Lester Mallory reporting on a meeting between a dissident leader and John Barfield, the Consulate's political officer. The dissident leader was reported to have lost enthusiasm for an assassination attempt and was then speaking of an invasion from Venezuela. However, by September 1, 1960, dissidents were again speaking about the possible provision to them of arms. This time the request was for 200 rifles. For the next several months, consideration centered on providing 200 to 300 guns.

II. Summer and Fall of 1960

In August 1960, the United States severed diplomatic relations with the Dominican Republic and recalled most of its personnel. Dearborn was left as Consul General and *de facto* CIA Chief of Station. Consideration was given both to providing

arms and explosive devices and to the use of high level emissaries to persuade Trujillo to abdicate. By the end of the year, a broad plan of general support to anti-Trujillo forces, both within and without the country, was approved.

A. Diplomatic Development -- Withdrawal of U.S. Personnel

Events occurring during the summer of 1960 further intensified hemispheric opposition to the Trujillo regime. In June agents of Trujillo tried to assassinate Venezuelan President Betancourt. As a result, the OAS censured the Trujillo government. At the same time, in August 1960, the United States broke interupted diplomatic relations with the Dominican Republic and imposed economic sanctions.

With the severance of diplomatic relations, the United States closed its Embassy. Most American personnel, including the CIA Chief of Station, left the Dominican Republic. With the departure of the CIA Chief of Station, Dearborn became <u>de facto</u> CIA Chief of Station and was recognized as such by both CIA and the State Department. Although on January 20, 1961, a new CIA Chief of Station came to the Dominican Republic, Dearborn continued to serve as a link to the dissidents.

B. Dearborn Reports Assassination May be Only Way to Overthrow Trujillo Regime

Dearborn came to believe that no effort to overthrow the

Trujillo government could be successful unless it involved Trujillo's assassination.

He communicated this opinion to both the State Department and the CIA. In July 1960, he advised Assistant Secretary Rubottom that the dissidents were

> "... in no way ready to carry on any type of revolutionary activity in the foreseeable future except the assassination of their principal enemy." (Dearborn to Rubottam letter, 7/14/60)

It is uncertain what portion of the information provided by Dearborn to State was passed above the Assistant Secretary level. Through August of 1960, only Assistant Secretary Rubottom, his Deputy, Lester Mallory, and Staff Assistant Frank Devine, were, within the Latin American Division of the Department, aware of Dearborn's "current projects." (Devine to Dearborn letter, 8/15/60)*

By September 1960, Thomas Mann had replaced Roy Rubottom as Assistant Secretary for Inter-American Affairs, and Frank Devine had become a Special Assistant to Mr. Mann. While serving as Special Assistant to the Assistant Secretary, Devine reportedly spent ninety percent of his time coordinating State activities in Latin America. It was in this capacity that Devine maintained almost daily communication with Ned Holman and other officials of the CIA's Western Hemisphere Division (Devine, p.7)

*Dearborn's candid reporting to State during the summer of 1960 raised concern with the Department and he was advised that certain specific information should more appropriately come through "the other channel" (presumably, CIA communications). Dearborn was advised that his cables to State were distributed to at least 19 different recipient offices. (Id.)

Mann solicited Dearborn's comments concerning plans under discussion for forcing Trujillo from power. Dearborn replied in a detailed letter which concluded:

> "One further point which I should probably not even make. From a purely practical standpoint, it will be best for us, for the OAS, and for the Dominican Republic if the Dominicans put an end to Trujillo before he leaves this island. If he has his millions and is a free agent, he will devote his life from exile to preventing stable government in the D.R., to overturning democratic governments and establishing dictatorships in the Caribbean, and to assassinating his enemies. If I were a Dominican, which thank heaven I am not, I would favor destroying Trujillo as being the first necessary step in the salvation of my country and I would regard this, in fact, as my Christian duty. If you recall Dracula, you will remember it was necessary to drive a stake through his heart to prevent a continuation of his crimes. I believe sudden death would be more humane than the solution of the Nuncio who once told me he thought he should pray that Trujillo would have a long and lingering illness." (Dearborn to Mann letter, 10/27/60)

C. Efforts to Convince Trujillo to Abdicate

Throughout the fall of 1960, efforts were made on both the diplomatic and economic fronts aimed at pressuring Trujillo into relinquishing control, and ideally, leaving the Dominican Republic. The use of high level emissaries, both from within and without the ranks of government, was considered. (Special Group Minutes, 9/8/60; Mann to Dearborn corres., 10/10/60) None of the efforts proved successful, and at the end of 1960 Trujillo was still in absolute control.

D. CIA Plans of October 1960

A CIA internal memorandum dated October 3, 1960 entitled

"Plans of the Dominican Internal Opposition and Dominican Desk for Overthrow of the Trujillo Government" set forth plans which "have been developed on a tentative basis which appear feasible and which might be carried out..covertly by CIA with a minimal risk of exposure." These plans provided, in part, for the following:

> "a. Delivery of approximately 300 rifles and pistols, together with ammunition and a supply of grenades, to secure cache on the South shore of the island, about 14 miles East of Ciudad Trujillo.
>
> "b. Delivery to the same cache described above, of an electronic detonating device with remote control features, which could be planted by the dissidents in such manner as to eliminate certain key Trujillo henchmen. This might necessitate training and introducing into the country by illegal entry, a trained technician to set the bomb and detonator." (Emphasis added) (CIA Memorandum, 10/3/60)

E. December 1960 Special Group Plan of Covert Action

On December 29, 1960, the Special Group considered and approved a broad plan of covert support to anti-Trujillo forces. The plan, presented by Bissell, envisioned support to both Dominican exile groups and internal dissidents. The exile groups were to be furnished money to organize and undertake anti-Trujillo propaganda efforts and to refurbish a yacht for use in paramilitary activities. Bissell emphasized

to the Special Group that "the proposed actions would not, of themselves, bring about the desired result in the near future, lacking some decisive stroke against Trujillo himself." (Special Group Minutes, 12/29/60)

IV. January 12, 1961 Special Group Approval of "Limited Supplies of Small Arms and Other Material"

On January 12, 1961, with all members present,* the Special Group met and, according to its Minutes, took the following action with respect to the Dominican Republic:

> "Mr. Merchant explained the feeling of the Department of State that limited supplies of small arms and other material should be made available for dissidents inside the Dominican Republic. Mr. Parrott said that we believe this can be managed securely by CIA, and that the plan would call for final transportation into the country being provided by the dissidents themselves. The Group approved the project." (Special Group Minutes, 1/12/61)

A. Memoranda Underlying the Special Group Action

On January 12, 1961, Thomas Mann sent a memorandum to Under Secretary Livingston Merchant. The memorandum, sent through Joseph Scott, Merchant's Special Assistant, reported on the disillusionment of Dominican dissidents with the United States for its failure to furnish them with any tangible or concrete assistance. Further, it reported:

> Opposition elements have consistently asked us to supply them with "hardware" of various types. This has included quantities of conventional arms and also, rather persistently, they have asked for some of the more exotic items and devices which they associate with revolutationary effort. (Mann to Merchant memo of 1/12/61)

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* The members of the Special Group were at the time: Livingston Merchant, Under Secretary of State for Political Affairs; Gordon Gray, Advisor to the President for National Security Affairs; John N. Irwin, Deputy Secretary of Defense; and Allen Dulles, Director of the Central Intelligence Agency.

Mann suggested for Merchant's consideration and, if he approved, for discussion by the Special Group, the provision of token quantities of selected items desired by the dissidents. Mann specifically mentioned small explosive devices which would place some "sabotage potential" in the hands of dissident elements, but stated that there "would be no thought of toppling the GODR (Government of Dominican Republic) by any such minor measure." (Mann to Merchant memo, 1/12/61) This memorandum was drafted on January 11 by Mann's Special Assistant for CIA liaison, Frank Devine.

A covering memorandum from Scott to Merchant, forwarding Mann's memo, was apparently taken by Merchant to the Special Group meeting. Merchant's handwritten notations indicate that the Special Group "agreed in terms of Tom Mann's memo" and that the Secretary of State was informed of that decision by late afternoon on January 12, 1961. (Scott to Merchant memo, 1/12/61)

There is no evidence that any member of the Special Group, other than Allen Dulles, knew that the dissidents had clearly and repeatedly expressed a desire for arms and explosives to be used by them in assassination efforts.* While it is, of course, possible that such information was passed orally to some or all of the members of the Special Group, and perhaps even discussed by them on January 12, 1961, there is no

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*Various CIA cables, including those dealing with the sniper rifles, indicate that copies were sent to the DCI, Allen Dulles.

documentary evidence of which the Committee is aware which would establish this to be the case.

On January 19, 1961, the last day of the Eisenhower administration, Consul General Dearborn was advised that approval had been given for supplying arms and other material to the Dominican dissidents (HQS to Station cable, 1/19/61). Shortly thereafter, Dearborn informed Devine that the dissidents were "delighted" about the decision to deliver "exotic equipment." (Dearborn to Devine cable, 1/31/61)

V. January 20, 1961 - April 17, 1961 (the Kennedy Administration Through the Bay of Pigs)

On January 20, 1961, the Kennedy administration took office. Three of the four members of the Special Group (all except Allen Dulles) retired.

Prior to the failure of the Bay of Pigs invasion on April 17, 1961, a number of significant events occurred. These events included meetings with Dominican dissidents in which specific assassination plans were discussed, requests by dissidents for explosive devices, the passage by U.S. officials of pistols and carbines to dissidents inside the Dominican Republic, and the pouching to the Dominican Republic of machine guns which had been requested by the dissidents for use in connection with an assassination attempt.*

*As indicated in the post-Bay of Pigs section, infra, permission to pass those machine guns was denied and the guns were never passed.

These events are discussed below under subheading A.

Evidence reflecting the degree of knowledge of those events possessed by senior American officials is treated thereafter. As used herein, "senior American officials" means individuals in the White House or serving as members of the Special Group.

A. Specific Events Indirectly Linking U.S. to Dissidents' Assassination Plans

1. Assassination Discussions and Requests for Explosives

At meetings held with dissident leaders in New York City on February 10 and 15, 1961, CIA officials were told repeatedly by dissident leaders that "the key to the success of the plot [to overthrow the Trujillo regime] would be the assassination of Trujillo." (CIA memo for the record, 2/13/61) Among the requests made of the CIA by dissident leaders were the following:

(a) Ex-FBI agents who would plan and execute the death of Trujillo.

(b) Cameras and other items that could be used to fire projectiles.

(c) A slow-working chemical that could be rubbed on the palm of one's hand and transferred to Trujillo in a handshake, causing delayed lethal results.

(d) Silencers for rifles that could kill from a distance of several miles. (Id.)

Other methods of assassinating Trujillo proposed by dissidents

at the February 10 or February 15 meetings included poisoning Trujillo's food or medicines, ambushing his automobile, and attacking him with firearms and grenades. (CIA memo for the record, 2/13/61; 2/16/61)*

The dissidents' "latest plot", as described in the February CIA memoranda, was said to involve the planting of a powerful bomb, which could be detonated from a nearby electric device, along the route of Trujillo's evening walk. (Id.)

On March 13, 1961, a dissident in the Dominican Republic asked for fragmentation grenades "for use during the next week or so." This request was communicated to CIA Headquarters on March 14, 1961, and was followed the next day by an additional request for 50 fragmentation grenades, 5 rapid-fire weapons, and 10 64 mm anti-tank rockets. This further request was also passed on to CIA Headquarters. (Station to HQS cable, 3/15/61) There is no evidence that any of these arms were supplied to the dissidents.

The documentary record makes clear that Frank Devine at the State Department was also advised of related developments in a March 16, 1961, "picnic" letter from Dearborn who complained that his spirits were in the doldrums because:

> ". . . the members of our club are now prepared in their minds to have a picnic but do not have the ingredients for the salad. Lately they have developed a plan for the picnic, which just might work if they could find the proper food. They

* There is no record that the CIA responded affirmatively to any of these requests and the CIA officer who drafted the February 13 memorandum stated the view that some of the questions raised by the dissidents did not require an answer.

> have asked us for a few sandwiches, hardly more, and we are not prepared to make them available. Last week we were asked to furnish three or four pineapples for a party in the near future, but I could remember nothing in my instructions that would have allowed me to contribute this ingredient. Don't think I wasn't tempted. I have rather specific guidelines to the effect that salad ingredients will be delivered outside the picnic grounds and will be brought to the area by another club. (Dearborn letter to Devine, 3/16/61)

After reviewing his "picnic" letter, together with the requests in the March 14 and 15 cables discussed above, Dearborn concluded during his testimony before the Committee that the "pineapples" were probably the requested fragmentation grenades and the restriction on delivering salad ingredients outside of the picnic grounds was, almost certainly, meant to refer to the requirements of the January 12 Special Group order that arms be delivered outside the Dominican Republic. (Dearborn 7/29, pp. 25-27)

2. The Passage of Pistols

a. Pouching to the Dominican Republic

In a March 15, 1961 cable, Chief of Station Owen reported that Dearborn had asked for three .38 caliber pistols for issue to several dissidents. In reply, Headquarters cabled: "Regret no authorization exists to suspend pouch regulations against shipment of arms" and indicated that their reply had been coordinated with State. (HQS to Station cable, 3/17/61) The Station Chief then asked Headquarters to seek the necessary authorization and noted that at his last two posts, he had received pistols via the pouch for "worthy purposes" and,

What were they

therefore, he knew it could be done. (Station to Hqs cable, 3/21/61) Two days later, Headquarters cabled that the pistols and ammunition were being pouched. However, the Station Chief was instructed not to advise Dearborn. (Hqs. to Station cable, 3/24/61)*

b. Reason for the CIA Instruction Not to Tell Dearborn

Owen testified that he believed the "don't tell Dearborn the pistol is being pouched" language simply meant that the sending of firearms through the diplomatic pouch was not something to be unnecessarily discussed. (Owen, pp. 78,79) Dearborn said he never doubted the pouch was used, since he knew Owen had no other means of receiving weapons. (Dearborn, 7/29, p. 33)

c. Were the Pistols Related to Assassination?

Dearborn testified that he had asked for a single pistol for purposes completely unrelated to any assassination consideration. (Dearborn, 7/29, pp. 29-31) He said he had been approached by a Dominican contact who lived in a remote area and was concerned for the safety of his family in the event of political reprisals. Dearborn testified that he had believed

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* The Inspector General's Report, issued in connection with a review of these events, concludes that:

> "There is no indication in the EMDEED operational files that the pistols were actually pouched. The request for pistols appears to have been overtaken by a subsequent request for submachine guns." (I.G. Report, p. 60)

This conclusion is difficult to understand in light of the March 24, 1961, Headquarters to Station cable, which provides:

> "C. Pouching revolvers and ammo requested TRUJ 0462 (in 20040) on 28 March. Do not advise (name Dearborn deleted) this material being pouched. Explanation follows."

the man's fears were well-founded and had promised to seek a pistol.*

Although there is no direct evidence linking any of these pistols to the assassination of Trujillo, a June 7, 1961, CIA memorandum, unsigned and with no attribution as to source, states that two of the three pistols were passed by Owen to Lorenzo "Wimpy" Berry, a United States citizen who was in direct contact with the action element of the dissident group. It should also be noted that the assassination was apparently conducted with almost complete reliance upon hand weapons. Whether one or more of these .38 caliber Smith & Wesson pistols eventually came into the hands of the assassins and, if so, whether they were used in connection with the assassination, remain open questions.

Both Dearborn and Owen testified that they regarded the pistols as weapons for self-defense purposes and they never considered them in any way connected with the then-current assassination plans. (Dearborn 7/29, p.70; Owen, pp.38,73) However, none of the Headquarters cables inquired as to the purpose for which the handguns were sought and Owen's cable stated only that Dearborn wanted them for passage to dissidents. (Station to HQS cable, 3/15/61) Indeed, the March 24, 1961,

*Dearborn is clear in his recollection that he asked Owen to request only one pistol. (Dearborn, 7/29, pp.30,31) Owen, on the other hand, testified that if his cables requested three pistols for Dearborn then Dearborn must have asked for three pistols. (Owen, p.72)
The pistols were, however, apparently sent in one package (HQS to Station cables,3/27/61 and 3/24/61) and Dearborn testified that, what he believed to be the one gun, came "wrapped up" and that he passed it. (Dearborn, 7/29,p.30)

cable advising that the pistols were being pouched is the very cable which was sent in response to a request by the dissidents for machine guns to be used in an assassination effort which had been previously described to Headquarters. As with the carbines discussed below, it appears that little, if any, concern was expressed within the Agency over passing these weapons to would-be assassins. or outside CIA?

3. Passing of the Carbines

a. Request by Owen and Dearborn and Approval by CIA

In a March 26, 1961 cable to CIA Headquarters, Owen asked for permission to pass to the dissidents three 30 caliber M1 carbines. The guns had been left behind in the Consulate by Navy personnel after the U.S. broke formal diplomatic relations in August 1960. Dearborn testified that he knew of and concurred in the proposal to supply the carbines to the dissidents. (Dearborn 7/29, pp. 42,43) On March 31, 1961 CIA Headquarters cabled approval of the request to pass the carbines. (Hqs to Station cable, 3/31/61)

b. Were the Carbines Related to Assassination?

The carbines were passed to the action group contact, Wimpy Berry, on April 7, 1961. (Station to HQS cable, 4/8/61) Eventually, they found their way into the hands of one of the assassins, Antonio de la Maza. (Station to HQS cable, 4/26/61; I.G. Report pp. 46, 49) Both Dearborn and Owen testified that the carbines were at all times viewed as strictly a token show

of support, indicating U.S. support of the dissidents' efforts to overthrow Trujillo. (Dearborn 7/29, pp. 46-48; Owen p. 39)

c. Failure to Disclose to State Department Officials in Washington

There is no indication that the request or the passage of the carbines was disclosed to State Department officials in Washington until several weeks after the passage. In fact, on April 5, Headquarters requested its Station to ask Dearborn not to comment in correspondence with State that the carbines and ammunition were being passed to the dissidents. This cable was sent while Owen was in Washington, and it indicated that upon his return to the Dominican Republic, he would explain the request. The Station replied that Dearborn had not commented on the carbines and ammunition in his correspondence with State and he realized the necessity not to do so. (Station to HQS cable, 4/6/61)

Dearborn testified, however, that he believed, at the time of his April 6 cable, that someone in the State Department had been consulted in advance and had approved the passage of the carbines (Dearborn 7/29, p. 44)

3. Requests For and Pouching of the Machine Guns

a. Owen Requests Machine Guns for Use in Assassination

The Station Chief suggested that Headquarters consider pouching an M3 machine gun on February 10, 1961 (Owen, pp. 63,64; Station to HQS cable, 3/15/61). The request was raised again in March but no action was taken. On March 20, 1961, Owen cabled a dissident request for five M3 or comparable machine guns specifying their wish that the arms be sent via the diplomatic pouch or similar means. The dissidents were said to feel that delivery by air drop or transfer at sea would overly-tax their resources. (Station to HQS cable, 3/20/61)

The machine guns sought by the dissidents were clearly identified, in Owen's cable, as being sought for use in connection with an attempt to assassinate Trujillo. This plan was to kill Trujillo in the apartment of his mistress and, according to Owen's cable:

> "4. To do they need five M3 or comparable machine-guns. and 1500 rounds ammo for personal defense in event fire fight. Will use quiet weapons for basic job." (Id.)

In essence, CIA's response was that the timing for an assassination was wrong. Owen was told that precipitious or uncoordinated action could lead to the emergence of a leftist, Castro-type regime and the "mere disposal of Trujillo may create more problems than solutions." It was Headquarters' position that:

> "...we should attempt to avoid precipitous action by the internal dissidents until opposition group and HQS are better prepared to support /assassination/*, effect a change in the regime, and cope with the aftermath." (HQS to Station cable, 3/24/61)

* Word supplied by CIA in previously sanitized cable.

The cable also stated that Headquarters was prepared to deliver machine guns and ammunition to the dissidents when they developed a capability to received them, but that security considerations precluded use of U.S. facilities as a carrier.* Soon, thereafter, on April 6, 1961, while Owen was in Washington for consultation with Headquarters, he reported on events in the Dominican Republic and

> "especially on the insistence of the EMOTH [dissident] leaders that they be provided with a limited number of small arms for their own protection (specifically, five M3 caliber .45 SMG's)." (CIA memo for the record, 4/11/61)

b. Pouching the Machine Guns is Approved by Bissell

Accordingly, on April 7, 1961, a Pouch Restriction Waiver Request and Certification was submitted seeking permission to pouch "four M3 machine guns and 240 rounds of ammunition on a priority basis for issuance to a small action group to be used for self protection." (Pouch Restriction Waiver Request 4/7/61)

The request, submitted on behalf of the Chief, Western Hemisphere Division, further provided:

> "B. A determination has been made that the issuance of this equipment to the action group is desirable if for no other reason than to assure this important group's continued cooperation with and confidence in this Agency's determination to live up to its earlier commitments to the group. These commitments took

* This same cable of March 24, 1961, is the one which advised that the revolvers and ammunition were being pouched.

> the form of advising the group in January 1961 that we would provide limited arms and assistance to them provided they develop the capability to receive it. Operational circumstances have prevented this group from developing the assets capable of receiving the above equipment through normal clandestine channels such as air drops or sea infiltration."

The Waiver Request was approved by Richard Bissell, as Deputy Director (Plans), on April 10, 1961. (Id.)

The machine guns were pouched to the Dominican Republic and were received by the station on April 19, 1961.* (I.G. Report, p. 42; Station to Headquarters cable, 4/19/61).

On April 10, Walter Elder, Assistant to the Director, had issued a memorandum which stated:

> "Mr. Dulles wants no action on drops of leaflets or arms in the Dominican Republic taken without his approval." (Elder memorandum of 4/10/61).**

The Elder memorandum suggests that Dulles did not know that an air drop of arms was regarded as unfeasible and that pouching had been approved.

B. Knowledge of Senior American Officials (pre-Bay of Pigs)

On February 14, 1961, prior to the passage of weapons, but a month after the generalized approval of the passage of arms by the prior administration, a meeting of the Special Group was held with Messrs. McNamara, Gilpatric, Bowles, Bundy, Dulles, Bissell, and General Cabell in attendance.

* Permission to pass the machine guns was never obtained and the guns never passed into the hands of the dissidents. The matter is discussed in detail beginning at page ;

** Elder testified that this note, sent the weekend before the Bay of Pigs invasion of Cuba, was intended to make sure that there were no unusual planes shot down or any unnecessary noise in the Dominican Republic" prior to the Cuba invasion. (Elder, p. 51)

The minutes state that:

"Mr. Dulles, assisted by Mr. Bissell, then summarized for the benefit of the new members of the Special Group the specific actions taken by the predecessor group during the past year, and also a list of significant projects which antedate the beginning of 1960 and which it is planned to continue." (Special Group Minutes of 2/14/61)

In the course of the discussion, the following point, among others, was made:

"(a) Dominican Republic -- Mr. Bundy asked that a memorandum be prepared for higher authority on the subject of what plans can be made for a successor government to Trujillo." (Id.)

suggests that knew of means of disposal

The request attributed to Bundy suggests that the Dominican Republic had been one of the matters on which Dulles and Bissell briefed the new members.

What is unclear from the February 14 minutes (just as it is unclear from the January 12 minutes) is the degree to which the Special Group was informed concerning the means by which the dissidents planned to accomplish the overthrow of the Trujillo regime. Specifically, it is not known if the new members of the Special Group were told that the dissident group had expressed the desire to assassinate Trujillo. Nor is it known if the Special Group was

why does the SG

advised that the State Department representative in the Dominican Republic had made the assessment that the Dominican government could not be overthrown without the assassination of Trujillo.

Bissell testified that he had no clear recollection of the details of the February 14 briefing and he was unable to say whether or not the method of overthrow to be attempted by the dissidents was discussed. (Bissell, 7/22, pp. 101, 102) Robert McNamara, one of the new members of the Special Group in attendance for the briefing, has no recollection as to the specificity in which the Dominican Republic was discussed at the February 14 meeting. He does not recall any mention by either Dulles or Bissell of dissident plans to assassinate Trujillo. (McNamara affidavit).

February Memoranda

The Secretary of State sent the President a memorandum on February 15, 1961, in response to a request concerning progress to assure an orderly takeover "should Trujillo fall." The memorandum advised that:

> "Our representatives in the Dominican Republic have, at considerable risk to those involved, established contacts with numerous leaders of the underground opposition . . . /and/ . . . the CIA has recently been authorized to arrange for delivery to them outside the Dominican Republic of small arms and sabotage equipment."

This reference to recent authorization for delivery of arms indicates that Secretary Rusk had received some briefing concerning events in the Dominican Republic and the January 1961

If [illegible] [illegible] then obviously knew

Special Group decision to provide arms to anti-Trujillo elements. Assistant Secretary for Inter-American Affairs, Thomas Mann; Deputy Assistant Secretary William Coerr; and Special Assistant Frank Devine continued in their respective positions throughout the transition period. The Committee has been furnished no documents indicating that Secretary Rusk or Under Secretary Bowles were specifically advised as to the intentions of the Dominican dissidents to kill Trujillo; intentions of which the Bureau of Inter-American Affairs certainly had knowledge. Indeed, Secretary Rusk testified that he was not personally so advised. (Rusk, 7/10, pp. 41,42)

How explain?

On February 17, 1961, Richard Bissell sent a briefing paper on the Dominican Republic to McGeorge Bundy, President Kennedy's National Security Advisor. The paper made note of the outstanding Special Group approval for the provision of arms and equipment to Dominican dissidents and stated that the dissidents had been informed that the U.S. was prepared to provide such arms and equipment as soon as they developed the capability to receive them.

The briefing paper also indicated that dissident leaders had informed CIA of "their plan of action which they felt could be implemented if they were provided with arms for 300 men, explosives, and remote control detonation devices." Various witnesses have testified, however, that supplying arms for 300 men would, standing alone, indicate a "non-targeted" use for the

arms (i.e., a paramilitary or revolutionary implementation as opposed to a specifically targeted assassination use). (Bissell, 7/29, p.80),

Concerning the briefing paper, Bissell testified that:

> "... it is perfectly clear that I was aware at the time of the memorandum to Mr. Bundy that these dissident groups were, and had for a long time, been hoping they could accomplish the assassination of Trujillo. As a matter of fact, the requests since some seven or eight months earlier was a perfectly clear indication of that, so that fact was not new knowledge." (Bissell 7/22, p.102)

When asked why the memorandum did not include the fact that the dissidents intended the assassination of Trujillo, Bissell replied:

> "I cannot tell you, Mr. Chairman. I do not remember what considerations moved me. I don't know whether it was because this was common knowledge and it seemed to me unnecessary to include it, or as you are implying, there was an element of concealment here. I would be very surprised if it were the latter, in this case." (Bissell, 7/22, p.101)

why didn't Bundy ask

In response to questions concerning the lack of information in the February 17, 1961 briefing paper concerning the uses to which the requested arms might likely be put by the dissidents, Bissell stated:

> " . . . I would say that the Agency's failure, if there be a failure here was [not] (sic) to state in writing that the plans of the dissidents would include assassination attempts." (Bissell, 7/22, p.99)

Bissell's briefing paper for Bundy concluded with the assessment that a violent clash might soon occur between Trujillo

and the internal opposition, "which will end either with the liquidation of Trujillo and his cohorts or with a complete roll up of the internal opposition." In this regard, the fear was expressed that existing schedules for the delivery of weapons to the internal opposition might not be sufficiently timely, and it was therefore recommended that consideration be given to caching the requested arms and other materials. (Bissell to Bundy memo, 2/17/61)

Thus, by the middle of February 1961, the senior members of the new administration, and in view of the "for higher authority" nature of Bundy's request, presumably President Kennedy himself, were aware of the outstanding Special Group approval for the passage of arms and other materials to opposition elements within the Dominican Republic. There was no modification or recision of the "inherited" Special Group approval and it would seem fair, therefore, to regard the approval as having been at least acquiesced in by the new administration.

Bundy knew of liquidation

During March and early April 1961, operational levels within both the CIA and the State Department learned of increasingly detailed plans by the dissidents to assassinate Trujillo. There is no evidence that this information was passed to the White House or to any member of the Special Group,

Is this true

except Allen Dulles.* Similarly, there is no evidence that the passage of the pistols or the carbines or the pouching of the machine guns to the Dominican Republic was disclosed to anyone outside of the CIA during this period.**

VI. April 17, 1961 - May 31, 1961
(Bay of Pigs Through Trujillo Assassination)

Following the failure of the Bay of Pigs invasion, attempts were made by State and CIA representatives in the Dominican Republic to dissuade the dissidents from a precipitous assassination attempt. These efforts to halt the assassination of Trujillo were the result of instructions from CIA Headquarters and were prompted by concern over filling the power vacuum which would result from Trujillo's death.

The machine guns arrived in the Dominican Republic but permission to pass them to the dissidents was never given and the guns never left the Consulate.

Dearborn returned to Washington for consultation and a contingency plan for the Dominican Republic was drafted.

Two days before Trujillo's assassination, Dearborn received a cable of instructions and guidance from President Kennedy. The cable advised that the U.S. must not run the risk of association with political assassination, since the U.S., as a matter of general policy, could not condone assassination. The cable

How does this square w/ [illegible] Disclosure

* Copies of CIA cables, including the March 20, 1961 cable describing the plan to assassinate Trujillo in the apartment of his mistress were apparently sent to the office of the Director of Central Intelligence.

** Although a copy of the CIA cable advising that the pistols were being pouched was sent to the Director's office, Dulles apparently did not receive copies of the cables approving passage of the carbines or pouching of the machine guns.

further advised Dearborn to continue to hold open offers of material assistance to the dissidents and to advise them of U.S. support for them if they were successful in overthrowing the Trujillo government. The cable also reconfirmed the decision not to pass the machine guns.

A. Decision Not to Pass the Machine Guns and Unsuccessful U.S. Attempt to Stop Assassination Effort

By April 17, 1961, the Bay of Pigs invasion had /operation was a failed/. As a result, there developed a general realization that precipitous action should be avoided in the Dominican Republic until Washington was able to give further consideration to the consequences of a Trujillo overthrow and the power vacuum which would be created. (Bissell, 6/11, p.113) A cable from Headquarters to the Station, on April 17, 1961, advised that it was most important that the machine guns not be passed without additional Headquarters approval.

The machine guns arrived in the Dominican Republic on April 19, 1961, and Headquarters was so advised. The earlier admonition that the machine guns should be held in Station custody until further notice was repeated in a second cable from Headquarters, sent April 20, 1961. This decision was said to have been "based on judgment that filling a vacuum created by assassination now bigger question than ever view unsettled conditions in Caribbean area." (HQs. to Station cable, 4/20/61)

The dissidents continued to press for the release of the machine guns and their requests were passed on to Headquarters

in cables from Dearborn and Owen. (Station to HQS cables 4/25/61) On April 25, 1961, Owen advised Headquarters that Wimpy Berry had informed him that Antonio de la Maza was going to attempt the assassination between April 29 and May 2. Owen also reported that this attempt would use the three carbines passed from the American Consulate, together with whatever else was available. (Id.)

In response to the April 26 cable, Headquarters restated that there was no approval to pass any additional arms to the dissidents and requested Owen to advise the dissidents that the United States was simply not prepared at that time to cope with the aftermath of the assassination. (See C/S comments, Station to HQS cable, 4/27/61) The following day, April 27, 1961, Owen replied that, based upon further discussions with the dissidents, "We doubt statement U.S. government not now prepared to cope with aftermath will dissuade them from attempt." (Station to HQS cable, 4/27/61)

Dearborn recalls receiving instructions that an effort be made to turn off the assassination attempt and testified that efforts to carry out the instructions were unsuccessful. In effect, the dissidents informed him that this was their affair and it could not be turned off to suit the convenience of the U.S. government.

(Dearborn, 7/29, p.52)

On April 30, 1961, Dearborn advised Headquarters that the dissidents had reported to him the assassination attempt was going to take place during the first week of May. The action group was reported to have in its possession three carbines, four to six 12-gauge shotguns and other small arms. Although they reportedly still wanted the machine guns, Dearborn advised Headquarters that the group was going to go ahead with what they had, whether the U.S. wanted them to or not. (Station to HQS cable, 4/30/61)

Dearborn's cable set forth the argument of the action group that, since the U.S. had already assisted the group to some extent and was therefore implicated, the additional assistance of releasing the machine guns would not change the basic relationship. The cable concluded:

> "Owing to far-reaching political implications involved in release or non release of requested items, Headquarters may wish discuss foregoing with State Department." (Id.)

B. Further Consideration of Passing Machine Guns

In reponse, a cable was drafted at CIA Headquarters authorizing passage of the machine guns. The cable which was sent to Allen Dulles, with Bissell's recommendation for its dispatch, provided:

> "Since it appears that opposition group has committed itself to action with or without

> additional support, coupled with fact ref. C items [the carbines] already made available to them for personal defense; station authorized pass ref. A items [the machine guns] to opposition member for their additional protection on their proposed endeavor." (Draft of HQS to Station cable, 5/2/61).

The cable was never sent.

In his testimony before the Committee, Bissell characterized his reasoning for recommending release of the machine guns as:

> " . . . having made already a considerable investment in this dissident group and its plans that we might as well make the additional investment." (Bissell, 7/22, p.127)

NAME

The following day, May 3, 1961, Ray Herbert, Deputy Chief of the Western Hemisphere Division of CIA, who frequently acted as liaison with the State Department in matters concerning covert operations in the Dominican Republic, met with Adolph Berle, Chairman of the State Department's Interagency Task Force on Latin America.

A Berle memorandum of the meeting states that Herbert informed Berle that a local group in the Dominican Republic wished to overthrow Trujillo and sought arms for that purpose. The memorandum continued:

> "On cross examination it developed that the real plan was to assassinate Trujillo and they wanted guns for that purpose. Herbert wanted to know what the policy should be.
>
> "I told him I could not care less for Trujillo and that this was the general sentiment. But we did not wish to have any thing to do with any assassination plots anywhere, any time. Herbert said he felt the same way." (Berle, Memo of Conversation, 5/3/61)

Copies of Berle's memorandum were sent to Wymberly Coerr, the Acting Assistant Secretary for Inter-American Affairs, and to Special Assistant Frank Devine.

Both Herbert and Devine, who had been in almost daily contact with each other since August of 1960, had been advised of the assassination plans of the dissident group. In fact, Herbert, along with Bissell, had signed off on the proposed cable of May 2, releasing the machine guns for passage.

why didn't they tell Berle

C. Special Group Meetings of May 4 and May 18, 1961

On the day following the Berle-Herbert meeting, the Special Group met and, according to the minutes:

> "The DCI referred to recent reports of a new anti-Trujillo plot. He said we never know if one of these is going to work or not, and asked what is the status of contingency planning should the plot come off. Mr. Bundy said that this point is covered in the Cuba paper which will be discussed at a high level in the ~~very near~~ future." (Special Group Minutes, 5/4/61)

What's this

Once again, the cryptic reporting of Special Group Minutes makes subsequent analysis as to the scope of matters discussed speculative. It is not known to what extent and in what detail Allen Dulles referred to "recent reports" of a new anti-Trujillo plot. Certainly, the most recent report of such a plot was Dearborn's April 30 cable -- disclosing an imminent assassination attempt potentially utilizing U.S.-supplied weapons.

On May 18, 1961, the Special Group again considered the situation in the Dominican Republic and, according to the

minutes:

> " Cabell [Deputy DCI] noted that the internal dissidents were pressing for the release to them of certain small arms now in U.S. hands in the Dominican Republic. He inquired whether the feeling of the Group remained that these arms should not be passed. The members showed no inclination to take a contrary position at this time."* (Emphasis supplied) (Special Group Minutes, 5/18/61)

D. Final Requests by Dissidents for Machine Guns

On May 16, 1961, Dearborn cabled the State Department, attention Acting Assistant Secretary Coerr, with an urgent request from the dissidents for the machine guns. The cable advised that the assassination attempt was scheduled for the night of May 16 and that, while the chances of success were 80 percent, provision of the machine guns would reduce the possibility of failure. The dissidents reportedly stressed to Dearborn that if the effort failed, due to U.S. refusal to supply the machine guns, the U.S. would be held responsible and would never be forgiven. Dearborn reported that he had informed the dissidents that, based on his recent conversations in Washington, he was reasonably certain that authorization could not be obtained for handing over machine guns. (Dearborn to State cable, 5/16/61)

A return cable from the State Department to Dearborn, sent the same day, confirmed Dearborn's judgment. It instructed him

* There was no meeting of the Special Group at which the Dominican Republic was discussed between May 4 and May 18. The language attributed to General Cabell as to whether the feeling of the Group remained not to pass the arms, tends to suggest that the question of passing these arms must have been raised prior to the May 18 Group meeting, perhaps at the May 4, 1961 meeting.

to continue to take the same line until he received contrary instructions which clearly indicated they had been cleared in advance by the State Department itself. This cable from State was approved by Under Secretary Bowles. (Department to Dearborn, 5/16/61)

Ray Herbert referred to Dearborn's May 16 request in a memorandum he sent to Devine on the same date and asked to be advised as to the Department's policy concerning passage of the machine guns. Herbert noted that when this request was last taken to the Department, Berle made the decision that the weapons not be passed. (Memo to ARA from CIA, 5/16/61)

Devine responded to Herbert's memorandum on the same day, advising Herbert that the Department's policy continued to be negative on the matter of passing the machine guns.* Herbert's attention was directed to the January 12, 1961 Special Group limitation concerning the passage of arms outside of the Dominican Republic. A copy of Devine's memorandum to Herbert was forwarded to the Office of the Under Secretary of State, to the attention of his personal assistant, Joseph Scott. (Devine to Herbert memo, 5/16/61)

E. Dearborn in Washington for Consultation -- Drafting of Contingency Plans

At a meeting of the National Security Council on May 5, 1961, the question of U.S. policy toward the Dominican Republic was considered and it was:

> "Agreed that the Task Force on Cuba would prepare promptly both emergency and long-range plans for anti-communist intervention in the event of crises in Haiti or the

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* By May 27, 1961 Dearborn was advising the State Department that the roup was no longer requesting the arms and had accepted the fact that it must make do with what it had. (Dearborn to State

> Dominican Republic. Noted the President's view that the United States should not initiate the overthrow of Trujillo before we knew what government would succeed him, and that any action against Trujillo should be multilateral." (Record of Actions bv National Security Council, 5/5/61) (Approved by the President, 5/16/61)

Although the precise dates are uncertain, Dearborn was recalled to Washington to participate in drafting of these contingency plans and recommendations. Dearborn was in Washington at least from May 10 through May 13, 1961.

While in Washington, Dearborn met with State Department personnel and with Richard Goodwin and Arthur Schlesinger of the White House staff. When testifying before the Committee, he was unable to recall the substance of his discussions with Goodwin and Schlesinger, aside from his general assumption that the current situation in the Dominican Republic was discussed. He did not recall any discussion with Goodwin or Schlesinger concerning arms, either those which had been passed to the dissidents or those which were being sought. (Dearborn, 7/29, pp. 58-61) Dearborn left the meeting at the White House, however, with the firm impression that Goodwin had been reviewing cable traffic between Washington and the Dominican Republic and was very familiar with events as they then stood. (Dearborn, 7/29, p.62)

On May 11, 1961, Dearborn prepared a two-page draft document which set forth ways in which the U.S. could overtly aid and encourage the opposition to Trujillo. The draft noted that means of stepping up the covert program were considered in separate papers. (Dearborn draft document of May 11, 1961) This Dearborn draft of May 11, 1961, was apparently used as a basis for portions of the "Dominican Republic -- Contingency Paper" discussed below.

Two documents entitled, "Program of Covert Action for the Dominican Republic" were provided to the Committee staff from State Department files. Each appears to be a draft of the covert activities paper described in Dearborn's May 11, 1961 memorandum. One draft recommended an expanded U.S. offer to deliver small explosive devices and arms. (Document indicating it was attached to "Dominican Republic -- Contingency," dated 5/12/61 and bearing Nos. 306-308). The other draft is very similar except that it concludes that delivery of arms within the Dominican Republic to members of the underground is not recommended. (Document from State Dept. files bearing No. 310).

Attached to the second draft was a one-page document which Frank Devine believes he wrote. It listed eight numbered points including the following:

> "1. The USG should not lend itself to direct political assassination.
>
> "2. US moral posture can ill afford further tarnishing in the eyes of the world.

who say this

"3. We would be encouraging the action, supplying the weapons, effecting the delivery, and then turning over only the final execution to (unskilled) local triggermen.

"4. So far we have seen no real evidence of action capability. Should we entrust ourselves and our reputation to this extent in the absence thereof?

"7. Can we afford a precedent which may convince the world that our diplomatic pouches are used to deliver assassination weapons?" (Document from State Department files bearing No. 313)

The other points raised in document No. 313 related to the likelihood that any such involvement by the U.S. would ultimately be revealed.

On May 15, 1961, Acting Assistant Secretary Coerr sent to Under Secretary Bowles a document entitled "Covert Action Programs Authorized With Respect to the Dominican Republic". That document outlined the existing Special Group approvals for covert assistance to Dominican dissidents and, while making no recommendation as to further policy, suggested that the Special Group review the outstanding approvals and communicate to interested agencies the status of such authorizations. (State Dept. document from Coerr to Bowles, 5/15/61)

During this period a document dated May 13, 1961, was

prepared at the request of Richard Goodwin and was thereafter circulated within the State Department.* This document, entitled "Program of Covert Action for the Dominican Republic" reported:

> "CIA has had in the direct custody of its Station in Ciudad Trujillo, a very limited supply of weapons and grenades. In response to the urgent requests from the internal opposition leaders for personal defense weapons attendant to their projected efforts to neutralize TRUJILLO, three (3) 38 Cal revolvers and three (3) carbines with accompanying ammunition have been passed by secure means to the opposition. The recipients have repeatedly requested additional armed support."

This memorandum is the first direct evidence of disclosure to anyone on the White House staff of the fact that arms had been passed to dissidents in the Dominican Republic.

The original ribbon copy of the memorandum has the above quoted material circled in pencil and the word "neutralize" is underscored. Goodwin testified before the Committee that he circled the above paragraph when first reading the memorandum because the information concerning passage of the arms was new to him and struck him as significant. (Goodwin 7/18, pp. 48,49)

Under the heading of "Possible Covert Actions Which Require Additional Authorization," the memorandum to Goodwin indicated that the CIA had a supply of four 45 caliber machine guns and a small number of grenades currently in the direct custody of the Station in Ciudad Trujillo and that a secure means of passing these weapons to the internal opposition "for their use in

* See Scott to Bowles memorandum of May 19, 1961, enclosing copy of Goodwin memorandum.

personal defense attendant to their projected efforts to remove Trujillo" could be developed by the Station. The memorandum made no recommendation to approve or disapprove passage of these weapons. (Id.)

On May 15, 1961, Bundy forwarded to Goodwin another memorandum. This one, entitled "The Current Situation in and Contingency Plans for the Dominican Republic," had been received by Bundy from the State Department. Attached was an underlying document which began:

> "Recent reports indicate that the internal Dominican dissidents are becoming increasingly determined to oust Trunillo by any means, and their plans in this regard are well advanced."

The May 15 memorandum stressed that it was highly desirable for the U.S. to be identified with and to support the elements seeking to overthrow Trujillo. The attachment recommended that Consul General Dearborn inform the dissidents that if they succeed "at their own initiative and on their own responsibility in forming an acceptable provisional government they can be assured that any reasonable request for assistance from the U.S. will be promptly and favorably answered." (Documents from State Dept. files bearing Nos. 279-286).

F. Drafts Leading to and Final Cable of May 29, 1961

A copy of Dearborn's cable of May 16, 1961, requesting urgent State Department guidance, was forwarded to Richard Goodwin. At the specific request of Goodwin, the State Department replied to Dearborn on May 17,

and advised him to keep in mind the President's view, as expressed at the May 5 National Security Council Meeting, that the United States should not initiate the overthrow of Trujillo before knowing what government would succeed him. (Department to Dearborn, 5/17/61)

Not moral opposition

Dearborn responded on May 21, 1961, pointing out that for over a year State Department representatives in the Dominican Republic had been nurturing the effort

to overthrow Trujillo and had assisted the dissidents in numerous ways, all of which were known to the Department. It was, Dearborn stated, "too late to consider whether United States will initiate overthrow of Trujillo." Dearborn invited further guidance from State.

In response to Dearborn's request for guidance, the State Department drafted a reply on May 24. The draft discussed a conflict between two objectives:

> "(1) To be so associated with removal Trujillo regime as to derive credit among DR dissidents and liberal elements throughout Latin America;
>
> "(2) To disassociate US from any obvious intervention in Dominican Republic and even more so from any political assassination which might occur."

TOP SECRET

It was said to be the Department's considered opinion that "former objective cannot, repeat not, easily override latter." (State Dept. to Dearborn cable, 5/24/61 - not sent)

This State Department draft was forwarded to Under Secretary Bowles with the comment that Goodwin considered it "too negative" and that he would try his hand on a draft "for Bundy to present tomorrow morning." (Memo from Achilles to Bowles, 5/24/61)

A May 26, 1961, memorandum from Bowles to Bundy begins:

> "Following up on our discussion of the Dominican Republic at yesterday's meeting of the Special Group, I am forwarding you a draft telegram which we would like to send to Henry Dearborn, our Consul General in Ciudad Trujillo, supplementing the guidance he will be receiving on the recently approved contingency plans."

Minutes of the Special Group meeting on May 25, 1961 do not, however, reflect any discussion of the Dominican Republic. If, as Bowles' memorandum suggests, a discussion concerning the Dominican Republic did occur at the May 25 meeting, it is not known what the discussion involved or what decisions, if any, were made.

Richard Goodwin personally prepared alternate drafts to the proposed State Department cable to Dearborn. Goodwin testified that it was his intent in revising the cable to communicate to Dearborn, President Kennedy's personal belief that the United States:

> " . . . didn't want to do anything that would involve us further, the United States further, in any effort to assassinate Trujillo." (Goodwin, 7/10, p.32)

derived

At the same time, Goodwin's draft raised the issue of further covert action and transfer of arms to the dissidents and advised Dearborn to hold out the arms as being available to the dissidents pending their ability to receive them.

According to whom?

It was the twofold intent of the cable as revised by Goodwin, (1) to express the desire to remain in the good graces of the dissidents who, it was believed, would constitute the new government following Trujillo's assassination, and (2) to avoid any action which might further involve the United States in the anticipated assassination. This dual purpose is clearly evident in the cable which advised:

> " . . . we must not run risk of U.S. association with political assassination, since U.S. as matter of general policy cannot condone assassination. This last principal is overriding and must prevail in doubtful situation." (Emphasis added)

* * * * * * *

doubtful in what ways

> "Continue to inform dissident elements of U.S. support for their position."

According to Goodwin, the underscored material was inserted in the cable at the specific direction of President Kennedy. (Goodwin, 7/10, pp. 22, 23).

more on this — government specifics

With respect to the four machine guns which were in the Consulate and which had been repeatedly requested by the dissidents, the cable advised Dearborn that the U.S. was unable to transfer these arms to the dissidents. Dearborn was instructed to:

> "Tell them that this is because of our suspicion that method of transfer may be unsafe. In actual

> fact, we feel that the transfer of arms would serve very little purpose and expose the United States to great danger of association with assassination attempt."

The cable, as revised by Goodwin and approved by President Kennedy, was sent to Dearborn on May 29, 1961. (State Dept. to Dearborn cable, 5/29/61)

VII. May 30, 1961 and Immediately Thereafter:

A. Trujillo Assassinated

Late in the evening of May 30, 1961, Trujillo was ambushed and assassinated near San Cristobal, Dominican Republic. The assassination closely paralleled the plan disclosed by the action group to American representatives in the Dominican Republic and passed on to officials in Washington at both the CIA and the State Department. (Dearborn cable to State, 5/30/61) The assassination was conducted by members of the action group, to whom the American carbines had been passed, and such sketchy information as is available indicates that one or more of the carbines were in the possession of the assassination group when Trujillo was killed. (I. G. Report, pp. 60-61). This evidence indicate however, that the actual assassination was accomplished by handguns and shotguns. (I.G. Report, p.61)

B. Cables to Washington

After receiving the May 29 cable from Washington, both Consul General Dearborn and Station Chief Owen sent replies. According to Dearborn's testimony, he did not regard the May 29 cable as a change in U.S. policy concerning support for assassinations. (Dearborn 7/29/75, p. 74).

He interpreted the May 29 cable as saying:

> "...we don't care if the Dominicans assassinate Trujillo, that is all right. But we don't want anything to pin this on us, because we aren't doing it, it is the Dominicans who are doing it." (Dearborn, 7/29, p. 104)

Dearborn testified that this accorded with what he said had always been his personal belief; that the U.S. should not be involved in an assassination and that if an assassination occurred it would be strictly a Dominican affair. (Dearborn 7/29, pp. 100, 101)

In contrast the CIA Station Chief, Owen, did regard the cable as manifesting a change in U.S. policy, particularly on the question of supplying arms. (Owen p. 120) He believed the May 29 cable was the final word in U.S. policy on this matter and consequently felt that the government had retreated from its prior position, of offering material support to the dissidents, and had adopted a new position of withholding such support. Owen's responsive cable to Headquarters stated:

> "HQS aware extent to which U.S. government already associated with assassination. If we are to at least cover up tracks, CIA personnel directly involved in assassination preparation must be withdrawn." (Station to HQS cable, 5/30/61)

Immediately following the assassination, all CIA personnel in the Dominican Republic were removed from the country and within a few days Consul General Dearborn was back in Washington. The State Department cabled the CIA station in the Dominican Republic to destroy all records concerning contacts with dissidents and any related matters, except not to destroy the contingency plans or the May 29, 1961 cable to Dearborn. (HQS to Station cable, 5/31/61.

C. Immediate Post-Assassination Period

The U.S. Consulate in the Dominican Republic was quick to dispatch its early reports that Trujillo had been assassinated, and the U.S. communications network transmitted the report to President Kennedy in Paris. The President's Press Secretary, Pierre Salinger, made the first public announcement of the assassination, preceeding by several hours release of the news in the Dominican Republic. Secretary of State Rusk testified that when he learned of Salinger's announcement he was most concerned. Rusk said that Trujillo's son Ramfis was also in Paris and he was afraid that Ramfis, upon first learning of his father's death from the press secretary to the President of the U.S., might try to retaliate against President Kennedy. (Rusk, 32, 33.)

What was TJ's reaction

looks bad

SCHNEIDER REPORT

TOP SECRET

SCHNEIDER REPORT

I. Summary

On September 4, 1970, Dr. Salvador Allende Gossens won a plurality in Chile's Presidential election.* Since no candidate had received a majority of the popular vote, the Chilean constitution required that a joint session of its Congress decide between the first and second place finishers. This constitutional requirement had, in the past, been pro-forma. The Congress had always selected the candidate who received highest popular vote. The date set for the Congressional joint session was October 24, 1970.

On September 15, 1970, President Richard Nixon informed CIA Director Richard Helms that an Allende regime in Chile would not be acceptable to the United States. The CIA was instructed by President Nixon to play a direct role in organizing a military coup d'etat in Chile to prevent Allende's accession to the presidency. The Agency was to take this action without coordination with the Departments of State or Defense and without informing the U.S. Ambassador in Chile. While coup possibilities in general and other means of seeking to prevent Allende's accession to power were explored by the 40 Committee throughout this period, the 40 Committee was never informed of this direct CIA role. Nor did it ever approve that role. The only institution to which the Agency was to report, both for informational and approval purposes, was the White House.

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*Dr. Allende, a long-time Senator and founder of the Socialist Party in Chile, was a candidate of Popular Unity Coalition. The Coalition was made up of Communists, Socialists, Social Democrats, Radicals, and dissident Christian Democrats. Allende was a self-proclaimed Marxist and was making his fourth try for the presidency. His opponents were Radomire Tomic Romero, candidate of the ruling Christian Democratic Party, and Jorge Alessandri Rodriquez, candidate of the right-wing National Party. Dr. Allende won 36.3% of the popular vote; Alessandri was second with 35.3% of the vote. Dr. Allende's margin of victory was 39,000 votes out of a total of 3 million votes cast in the election. The incumbent President, Eduardo Frei Montalvo, a Christian Democrat, was ineligible for re-election. Chilean law prohibits Presidents from succeeding themselves.

In practice, this meant that the CIA was to keep the President's Assistant for National Security Affairs, Henry Kissinger, informed of its activities.

Between October 5 and October 20, 1970, the CIA made 21 contacts with key military and Carabinero (police) officials in Chile. Those Chileans who were inclined to stage a coup were given assurances of strong support at the highest levels of the U.S. Government, both before and after a coup.

One of the major obstacles faced by all the military conspirators in Chile was the strong opposition to a coup by the Commander-in-Chief of the Army, General Rene Schneider, who insisted the constitutional process be followed. As a result of his strong constitutional stand, the removal of General Schneider became a necessary ingredient in the coup plans of all the Chilean conspirators. Unable to have General Schneider retired or reassigned, the conspirators decided to kidnap him. An unsuccessful abduction attempt was made on October 19, 1970, by a group of Chilean military officers whom the CIA was actively supporting. A second kidnap attempt was made the following day, again unsuccessfully. In the early morning hours of October 22, 1970, machine guns and ammunition were passed by the CIA to the group that had failed on October 19. That same day General Schneider was mortally wounded in an attempted kidnap on his way to work. The attempted kidnap and the shooting was apparently conducted by conspirators other than those to whom the CIA had provided weapons earlier in the day.

Did they know -

A Chilean military court found that high-ranking military officers, both active and retired, conspired to bring about a military coup and to kidnap General Schneider. Several of the officers whom the CIA had contacted and encouraged in their coup conspiracy were convicted of conspiring to kidnap General Schneider. Those convicted of carrying out the actual kidnap attempt and the killing of General Schneider were associates of retired General Roberto Viaux, who had initially been thought by the CIA to be the best hope. However, later the CIA discouraged General Viaux because the Agency felt other officers, such as General Camilo Valenzuela, were not sufficiently involved. General Viaux was convicted by the military court and received a twenty-year prison sentence for being the "intellectal author" of the Schneider kidnap attempt. General Valenzuela was sentenced by the military court to three years in exile for taking part in the conspiracy to prevent Allende's assumption of office. The military court found that the two Generals had been in contact throughout the coup plotting.

The principal facts leading up to the death of General Schneider (all of which are discussed in more detail below) are as follows:

1. By the end of September 1970, it appeared that the only feasible way for the CIA to implement the Presidential order to prevent Allende from coming to power was to foment a coup d'etat.

2. All of the known coup plots developed within the Chilean military entailed the removal of General Schneider by one means or another.

3. United States officials continued to encourage and support Chilean plans for a coup after it became known that the first step would be to kidnap General Schneider.

4. Two unsuccessful kidnap attempts were made, one on October 19, the other on October 20. Following these attempts, and with knowledge of their failure, the CIA passed three submachine guns and ammunition to Chilean officers who still planned to kidnap General Schneider.

5. In a third kidnap attempt on October 22, apparently conducted by Chileans other than those to whom weapons had been supplied, General Schneider was shot and subsequently died. The guns used in the abortive kidnapping of General Schneider were, in all probability, not those supplied by the CIA to the conspirators. The Chilean military court which investigated the Schneider killing determined that Schneider had been murdered by handguns, although one machine gun was at the scene of the killing.*

6. While there is no question that the CIA received a direct instruction from the President on September 15th to attempt to foment a coup, the Committee received sharply conflicting testimony about whether the White House was kept informed of, and authorized, the coup efforts in Chile after October 15. On one side of the conflict is the testimony of Henry Kissinger and General Alexander Haig; on the other, that of CIA officials. Kissinger testified that the White House stood down CIA efforts to promote a military coup d'etat in Chile on October 15, 1970. After that date, Kissinger testified--and Haig agreed--that the White House neither knew of, nor specifically approved, CIA coup activities in Chile. CIA officials, on the other hand, have testified that their activities in Chile after October 15 were known to and

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* The Committee has not been able to determine whether or not the machine gun at the scene of the Schneider killing was one of the three supplied by the CIA.

thus authorized by the White House.*

This conflict in testimony, which the Committee has been unable to resolve through its hearings or the documentary record, leaves unanswered the most serious question of whether the CIA was acting pursuant to higher authority (the CIA's view) or was pursuing coup activities in Chile without sufficient communication (the Kissinger/Haig view).

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* The basic issue is whether or not the CIA informed the White House of its activities. In context, informing was tantamount to being authorized. No one who testified believed that the CIA was required to seek step-by-step authorization for its activities; rather the burden was on the White House to object if a line of activity being pursued by the CIA seemed unwise. Both Kissinger and Haig agreed that if the CIA had proposed a persuasive plan to them, it almost certainly would have been approved. The CIA did not believe it needed specific White House authorization to transfer weapons to the Chileans; in fact, CIA Deputy Director (Plans) Thomas Karamessines testified that he did not formally approve the transfer, but rather that in the context of the project it was clear that the Agency had the authority to transfer weapons and that it was clear to Karamessines' subordinates that he would approve their decision to do so. He believed he probably was informed before the weapons actually were sent.

SECRET

II. The President's Initial General Instruction and Background

A. September 15 White House Meeting

On September 15, 1970, President Nixon met with his Assistant for National Security Affairs, Henry Kissinger, CIA Director Richard Helms, and Attorney General John Mitchell at the White House. The topic was Chile. Handwritten notes taken by Director Helms at that meeting reflect both its tenor and the President's instructions:

> 1 in 10 chance perhaps, but save Chile!
> worth spending
> not concerned risks involved
> no involvement of Embassy
> $10,000,000 available, more if necessary
> full-time job--best men we have
> game plan
> make the economy scream
> 48 hours for plan of action

In his testimony before the Select Committee, Director Helms recalled coming away from the meeting on September 15 with:

> ...(the) impression...that the President came down very hard that he wanted something done, and he didn't much care how and that he was prepared to make money available....This was a pretty all-inclusive order....If I ever carried a marshall's baton in my knapsack out of the Oval Office, it was that day.* (Helms testimony, July 15, pp. 6,10,11)

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* Director Helms also testified that the September 15th meeting with President Nixon may have been triggered by the presence of Augustin Edwards, the publisher of the Santiago daily El Mercurio, in Washington. That morning, at the request of Donald Kendall, President of Pepsi Cola, Henry Kissinger and John Mitchell had met for breakfast with Kendall and Edwards. (Mitchell calendar) The topic of conversation was the political situation in Chile and the plight of El Mercurio and other anti-Allende forces. According to Mr. Helms:

> I recall that prior to this meeting (with the President) the editor of El Mercurio had come to Washington and I had been asked to go and talk to him at one of the hotels here, this having been arranged through Don Kendall, the head of the Pepsi Cola Company....I have this impression that the President called this meeting where I have my handwritten notes because of Edwards' presence in Washington and what he heard from Kendall about what Edwards was saying about conditions in Chile and what was happening there.
> (Helms testimony, July 15, pp. 4-5)

However, none of the CIA officers believed that assassination was within the guidelines Helms had been given.

> Senator Hart of Colorado. ...did the kind of carte blanche mandate you carried, the marshall's baton that you carried out in a knapsack, to stop Allende from assuming office, include physical elimination?
>
> Mr. Helms. Well, not in my mind, because when I became Director, I had already made up my mind that we weren't going to have any of that business when I was Director, and I had made that clear to my fellows, and I think they will tell you this.

The following day, September 16, Director Helms called a meeting at the CIA to discuss the Chilean situation. At this meeting, he related to his colleagues his understanding of the President's instructions:

> 2. The Director told the group that President Nixon had decided that an Allende regime in Chile was unacceptable to the United States. The President asked the Agency to prevent Allende from coming to power or to unseat him. The President authorized $10,000,000 for this purpose, if needed. Further, the Agency is to carry out this mission without coordination with the Departments of State or Defense.
> (Memorandum/Genesis of the Project, 16 Sept. 1970)

Henry Kissinger's recollection of the September 15 meeting with President Nixon is in accord with that of Richard Helms.* Although Dr. Kissinger did not recall the President's instructions to be as precise as those related by Director Helms, he did testify that:

> ...the primary thrust of the September 15th meeting was to urge Helms to do whatever he could to prevent Allende from being seated. (Kissinger testimony, p. 13)

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* The documents, and the officials from whom the Committee has heard testimony, are in substantial agreement about what President Nixon authorized on September 15, namely CIA involvement in promoting a military coup d'etat in Chile. There is not, however, agreement about what was communicated between the CIA and the White House--and hence what was authorized by the latter--in the week between October 15 and the death of General Schneider, October 22. This matter will be discussed in Part V of this report on the Schneider killing.

> It is clear that President Nixon wanted him (Helms) to encourage the Chilean military to cooperate or to take the initiative in preventing Allende from taking office. (Kissinger testimony, p. 12)

Operationally, the CIA set the President's instructions into motion on September 21. On that day two cables were sent from CIA Headquarters to Santiago informing the CIA Chief of Station (COS) of his new directive:

> 3. Purpose of exercise is to prevent Allende assumption of power. Parliamentary legerdemain has been discarded. Military solution is objective.
> (Hqs. to Stn. 236, 21 September 1970)
>
> ***
>
> B. (Track Two)--This is authority granted to CIA only, to work toward a military solution to problem. As part of authority we were explicitly told that 40 Committee, State, Ambassador and Embassy were not to be told of this Track Two nor involved in any matter. (Hqs. to Stn. 240, 21 September 1970)

B. <u>Background: Tracks I and II</u>

United States Government concern over an Allende regime in Chile did not begin with President Nixon's September 15 instruction to the CIA.* For more than a year, Chile had been on the 40 Committee's agenda. At an April 15, 1969, meeting of the 303 Committee (the predecessor of the 40 Committee) the question arose as to whether anything should be done with regard to the September 1970 Presidential election in Chile. At that time, Director Helms pointed out that "an election operation will

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* Covert U.S. Government involvement in large-scale political action programs in Chile began with the 1964 Presidential election. As in 1970, this was in response to the perceived threat of Salvadore Allende. Over $3 million was spent by the CIA in the 1964 effort. (Colby testimony, July 14, 1975, p. 5)

not be effective unless an early enough start is made.* On March 25, 1970, the 40 Committee approved a joint Embassy/CIA proposal recommending that "spoiling" operations--propaganda and other activities--be undertaken by the CIA in an effort to prevent an election victory by Allende's Popular Unity (UP) Coalition. A total of $135,000 was authorized by the 40 Committee for this anti-Allende activity. On June 18, 1970, the U.S. Ambassador to Chile, Edward Korry, submitted a two-phase proposal to the Department of State and the CIA for review. The first phase involved an increase in support to the anti-Allende campaign. The second was a contingency plan to make "a $500,000 effort in Congress to persuade certain shifts in voting on 24 October 1970." Phase II was, stated simply, a proposal to bribe Chilean Congressmen to vote against Allende should he win a plurality in the September 4 election. On June 27, 1970, the 40 Committee increased funding for the anti-Allende "spoiling" operation to $390,000. A decision on Ambassador Korry's bribe proposal was deferred pending the results of the September 4 election.

The 40 Committee met twice between the time Allende received a plurality of the popular vote on September 4 and President Nixon issued his instruction to Director Helms on September 15.** At both these meetings the question of U.S. involvement in a military coup against Allende was raised. Kissinger stressed the importance of these meetings when he testified before the Select Committee:

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*This and other references to 40 Committee discussions and actions regarding Chile are contained in a memorandum provided to the Committee by the CIA entitled "Policy Decisions Related to Our Covert Action Involvement in the September 1970 Chilean Presidential Election," dated October 9, 1970. On August 25, 1975, we subpoenaed all White House/National Security Council documents and records relating to the effort by the United States Government to prevent Salvadore Allende from assuming office. On September 4, the Committee received 46 documents from the White House relating to Chile covering the period September 5 to October 14, 1970.
**See Page 9a.

What do we have then or now!

**Following the September 4 election, the CIA's Directorate of Intelligence circulated an intelligence community assessment of the impact of an Allende government on U.S. national interests. That assessment, dated September 7, 1970, stated:

> Regarding threats to U.S. interests, we conclude that:
>
> 1. The U.S. has no vital national interests within Chile. There would, however, be tangible economic losses.
>
> 2. The world military balance of power would not be significantly altered by an Allende government.
>
> 3. An Allende victory would, however, create considerable political and psychological costs:
>
>   a. Hemispheric cohesion would be threatened by the challenge that an Allende government would pose to the OAS, and by the reactions that it would create in other countries. We do not see, however, any likely threat to the peace of the region.
>
>   b. An Allende victory would represent a definite psychological set-back to the U.S. and a definite psychological advance for the Marxist idea. (Intelligence Memorandum/ "Situation Following the Chilean Presidential Election," CIA's Directorate of Intelligence, 7 September 1970)

> I think the meeting of September 15th has to be seen in the context of two previous meetings of the 40 Committee on September 8th and September 14th in which the 40 Committee was asked to look at the pros and cons and the problems and prospects of a Chilean military coup to be organized with United States assistance.
>
> (Kissinger testimony, p. 5)

According to the summary of the 40 Committee meeting on September 8, the following was discussed:

> ...all concerned realized that previous plans for a Phase II would have to be drastically redrawn.... The DCI made the point, however, that congressional action against Allende was not likely to succeed and that once Allende was in office the Chilean opposition to him would disintegrate and collapse rapidly. While not advocating a specific course of action, the Director further observed that a military golpe against Allende would have very little chance of success unless undertaken soon. Both the Chairman and the Attorney General supported this view....At the close of the...meeting the Chairman directed the Embassy to prepare a "cold-blooded assessment" of:
>
> 1) the pros and cons and problems and prospects involved should a Chilean military coup be organized now with U.S. assistance, and
>
> 2) the pros and cons and problems and prospects involved in organizing an effective future Chilean opposition to Allende.
>
> (CIA Memorandum/Policy Decision Related to Our Covert Action Involvement in the September 1970 Chilean Presidential Election, 9 October 1970)

Ambassador Korry responded to the 40 Committee's request for a "cold-blooded assessment" on September 12. He stated that "We /the Embassy/ believe it now clear that Chilean military will not, repeat not, move to prevent Allende's accession, barring unlikely situation of national chaos and widespread violence." The Ambassador went on to say that "Our own military people /are/ unanimous in rejecting possi-

bility of meaningful military intervention in political situation." He concluded by stating: "What we are saying in this 'cold-blooded assessment' is that opportunities for further significant USG action with the Chilean military are nonexistent." (Memorandum/Ambassador's Response to Request for Analysis of Military Option in Present Chilean Situation, 12 September 1970)

The CIA's response was in the same vein. Viron Vaky, Kissinger's assistant for Latin American affairs on the NSC staff, summarized the CIA's "cold-blooded assessment" in a memo to his boss: "Military action is impossible; the military is incapable and unwilling to seize power. We have no capability to motivate or instigate a coup." (Memorandum for Dr. Kissinger/Chile--40 Committee Meeting, Monday--September 14, September 14, Viron P. Vaky)

On September 14, the 40 Committee met to discuss these reports and what action was to be taken:

> Particular attention was devoted to a CIA prepared review of political and military options in the Chilean electoral situation based on the Embassy and Station's "cold-blooded assessment." The Committee focused on the so-called "Rube Goldberg" gambit which would see Alessandri elected by the Congress on October 24th, resigning thereafter to leave Frei constitutionally free to run in a second election for the presidency.

> Ambassador Korry was asked to go directly to President Frei to see if he would be willing to commit himself to this line of action. A contingency of $250,000 was approved for "covert support of projects which Frei or his trusted team deem important." It was further agreed that a propaganda campaign be undertaken by the Agency to focus on the damage of an Allende takeover....
>
> (CIA Memorandum/Policy Decision Related to Our Covert Action Involvement in the September 1970 Chilean Presidential Election, 9 October 1970)

Following the September 14 Forty Committee meeting and President Nixon's September 15 instruction to the CIA, U.S. Government efforts to prevent Allende from assuming office proceeded on two tracks.* Track I comprised all covert activities approved by the 40 Committee, including the $250,000 contingency fund to bribe Chilean congressmen as well as propaganda and economic activities. These activities were designed to induce the opponents to Allende in Chile to prevent his assumption of power, either through political or military means. Track

*The terms Track I and Track II were known only to CIA and White House officials who were knowledgeable about the President's September 15 order to the CIA. The Committee sent letters to various senior officials inquiring if they were, in fact, not knowledgeable of the Track II activities. Those letters were sent to Secretary of State William Rogers, Secretary of Defense Melvin Laird, Deputy Secretary of Defense David Packard, Undersecretary of State for Political Affairs U. Alexis Johnson, Chairman of the Joint Chiefs of Staff Admiral Thomas Moorer, NSC Staff Member for Latin America Viron P. Vaky, Director of the State Department's Bureau of Intelligence and Research Ray S. Cline, and the Deputy Chief of Mission in Santiago Harry W. Shlaudeman. Thus far the Committee has received written responses from Messrs. Moorer, Johnson, Vaky, Shlaudeman and Cline. All except Cline have indicated that they had no knowledge of the Track II activity at the time; Cline indicated he heard of the activities in a general way, from his subordinate who handled 40 Committee work and from former associates at the CIA. In oral communications with Committee staff members, Secretaries Rogers and Laird have indicated they were unaware of Track II.

II activities in Chile were undertaken in response to President Nixon's September 15 order and were directed towards actively promoting and encouraging the Chilean military to move against Allende. In his testimony before the Committee, Kissinger stressed the links between Tracks I and II:

> ...There was work by all of the agencies to try to prevent Allende from being seated, and there was work by all of the agencies on the so-called Track I to encourage the military to move against Allende ...the difference between the September 15th meeting and what was being done in general within the government was that President Nixon was encouraging a more direct role for the CIA in actually organizing such a coup. (Kissinger testimony, p. 13)

Tracks I and II did, in fact, move together in the month after September 15. The authorization to Ambassador Korry, who was formally excluded from Track II, to encourage a military coup became broader and broader. In the 40 Committee meeting on September 14, he and other "appropriate members of the Embassy Mission" were authorized to intensify their contacts with Chilean military officers to assess their willingness to support the "Frei gambit"--a voluntary turn-over of power to the military by Frei, who would then have been eligible to run for President in new elections. (Memorandum/Policy Decisions Related to Our Covert Action Involvement in the September 1970 Chilean Presidential Election, 9 October 1970)

In a situation report to Dr. Kissinger and Assistant Secretary Charles Meyer on September 21, Ambassador Korry indicated that in order to make the Frei gambit work, "if necessary, General Schneider would

have to be neutralized, by displacement if necessary."* (Korry to Meyer and Kissinger/Situation Report, 21 September 1970) In testifying, Kissinger felt the Korry report indicated "the degree to which Track I and Track II were merging, that is to say, that individuals on Track I were working on exactly the same problem as the CIA was working on Track II." (Kissinger testimony, p. 21)

Ambassador Korry's activites in Chile between September 4 and October 24 support Kissinger's view that the line separating Track I and Track II often became blurred. For example, the Ambassador was authorized to make his contacts in the Chilean military aware that if Allende were seated, the military could expect no further military assistance (MAP) from the United States. Later, in response to his own recommendation, Korry was authorized to inform the Chilean military that all MAP and military sales were being held in abeyance pending the outcome of the Congressional election on October 24. On October 7, Ambassador Korry received the following cable from Kissinger and Under Secretary

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*In this same situation report, Ambassador Korry related a message that he had sent to President Frei through his Defense Minister indicating the economic pressures that would be brought to bear on Chile should Allende assume office.

> Frei should know that not a nut or bolt will be allowed to reach Chile under Allende. Once Allende comes to power we shall do all within our power to condemn Chile and the Chileans to utmost deprivation and poverty, a policy designed for a long time to come to accelerate the hard features of a Communist society in Chile. Hence, for Frei to believe that there will be much of an alternative to utter misery, such as seeing Chile muddle through, would be strictly illusory.

The use of economic instruments as levers on Frei and the Chilean military was a persistent subject of White House/CIA discussions and of instructions to the field. Helms' notes from the September 15 meeting with the President and Kissinger included the notation "make the economy scream." Economic leverage was the primary topic of a September 18 White House meeting involving Kissinger, Helms and Karamessines.

of State U. Alexis Johnson:

> 2. ...you are now authorized to inform discreetly the Chilean military through the channels available to you that if a successful effort is made to block Allende from taking office, we would reconsider the cuts we have thus far been forced to make in Chilean MAP and otherwise increase our presently programmed MAP for the Chilean Armed Forces.... If any steps the military should take should result in civil disorder, we would also be prepared promptly to deliver support and material that might be immediately required. (Hqs. to Stn. 075517, 7 October 1970)

The essential difference between Tracks I and II, as evidenced by instructions to Ambassador Korry during this period, was not that Track II was coup-oriented and Track I was not. Both had this objective in mind. The difference between the two tracks was, simply, that the CIA's direct contacts with the Chilean military, and its active promotion and support for a coup, were to be known only to a small group of individuals in the White House and the CIA. Kissinger testified that Track II matters were to be reported directly to the White House "for reasons of security." (Kissinger testimony, p. 14) Thomas Karamessines, the CIA's Deputy Director for Plans at the time and the principal CIA contact with the White House on Track II matters, testified on his understanding of why State, Defense, the 40 Committee and Ambassador Korry were excluded from Track II:

> That was not a decision that we made. But the best I can do is suggest that there was concern about two things. Number one, that there might be serious objections lodged, for example, by the State Department particularly if Track 2 were to be laid out at a Forty Committee meeting. And the only other thing I can contribute to that is that it was felt that the security of the activity would be better protected if knowledge of it were limited. (Karamessines testimony, p. 122)

TOP SECRET

C. CIA Views of Difficulty of Project

On one point the testimony of CIA officials who were involved in Track II is unanimous: they all said they thought Track II was unlikely to succeed. That view ran from the working levels of the Agency to the top. They all said they felt they were being asked to do the impossible, that the risks and potential costs of the project were too great. At the same time, they felt they had been given an explicit Presidential order, and they tried to execute that order.

A few excerpts from the testimony follow:

Richard Helms, CIA Director -

> ...my heart sank over this meeting, because...the possibility of bringing off something like this seemed to me at that time to be just as remote as anything could be. In practical terms, the Army was constitutionalist....And when you look here at the time frame in which the man was suddenly asking you to accomplish something, it seemed really almost inconceivable....
>
> What I came away from the meeting with the distinct impression that we were being asked to do almost the impossible and trying to indicate this was going to be pretty tough.... (Helms testimony, July 15, 1975, pp. 6-7)

David Phillips, Chief, Chile Task Force -

> ...it is my feeling that the odds are unacceptable, it is something that is not going to work, and we are going to be burned if we get into it ...what are the chances of pulling off a coup successfully, or in any way stopping Allende from assuming the presidency?...we never even got to two chances out of 20. (Phillips testimony, p. 16)
>
> ...I assure you that those people that I was in touch with at the Agency just about universally said, my God, why are we given this assignment? (Phillips testimony, p. 53)

James Flannery, Deputy Chief, Western Hemisphere Division -

> There was just no question that we had to make this effort, no matter what the odds were. And I think that most people felt that the odds were just pretty long. (Flannery testimony, p. 20)

Further, CIA officials believed their judgment of the endeavor's difficulty was known to the White House. Helms commented on the September 15th meeting: "So realizing all of these things, I'm relatively certain that day that I pointed out this is going to be awfully tough." (Helms testimony, July 15, 1975, p. 16) Karamessines recalled pointing out to the President that "the Chilean military seemed to be disorganized and unwilling to do anything. And without their wanting to do something, there did not seem to be much hope." (Karamessines testimony, p. 10)

III. CIA's Implementation of Track II

A. Evolution of CIA Strategy

The President's instruction to the CIA on September 15 to prevent Allende's assumption of power was given in the context of a broad U.S. Government effort to achieve that end. The September 15 instruction to the CIA involved from the beginning the promotion of a military coup d'etat in Chile. Although there was talk of a coup in Chilean military circles, there was little indication that it would actually take place without active U.S. encouragement and support.

> There was much talk among Chilean officers about the possibility of some kind of coup...but this was not the kind of talk that was being backed by, you know, serious organizational planning.
> (Karamessines testimony, Aug. 6, 1963, p. 32)

1. The "Constitutional Coup" Approach

Although efforts to achieve a political solution to the Allende victory continued simultaneous with Track II, the Agency premised its activities on the assumption that the political avenue was a dead end. On September 21, CIA Headquarters cabled its Station in Santiago:

> Purpose of exercise is to prevent Allende assumption of power. Paramilitary legerdemain has been discarded. Military solution is objective.
> (Hqs. 236, Sept. 21, 1970, para. 3)

The initial strategy attempted to enlist President Frei in promoting a coup to perpetuate his presidency for six more years. The Agency decided to promise "help in any election which was an outgrowth of a successful military takeover." (Nov. 18, 1970 Helms memo to Kissinger) Under this plan Frei would invite the military to take over, dissolve the Congress, and proclaim a new election. A private U.S. citizen who had been a conduit for CIA funds to Frei's 1964 campaign was sent to see him

with this message on September 24. (Task Force Log, September 23)

Thomas Karamessines, the Deputy Director for Plans, testified:

> So this was in a sense not Track II, but in a sense another aspect of a quiet and hopefully non-violent military coup....This was abandoned when the military were reluctant to push Frei publicly...and, number two, Frei was reluctant to leave on his own in the absence of pressure from the military....There was left as the only chance of success a straight military coup.
> (Karamessines testimony, Aug. 6, 1975, p. 6)

At the same time, the Station in Santiago reported:

> Strong reasons for thinking neither Frei nor Schneider will act. For that reason any scenario in which either has to play an active role now appears utterly unrealistic. Overtures to lower echelon officers (e.g., Valenzuela) can of course be made. This involves promoting Army split.
> (Stn. to Hqs. 424, September 23, 1970)

2. Military Solution

President Frei's failure even to attempt to persuade his own party convention on October 3-4 from reaching a compromise with Allende ended all hope of using him to prevent an Allende presidency. (November 18 memo, Helms to Kissinger, page 16) Thus, by the beginning of October, it was clear that a vehicle for a military solution would have to be found in the second echelon of Chilean officers, and that the top leadership of the Armed Services, particularly General Rene Schneider, constituted a stumbling block. (Santiago 424, September 23, 1970; Santiago 439, September 30, 1970) The Agency's task was to cause a coup in a highly unpromising situation and to overcome the formidable obstacles represented by Frei's inaction, Schneider's strong constitutionalism, and the absence of organization and enthusiasm among those officers who were interested in a coup.

A three-fold program was set into motion:

a. Collect intelligence on coup-minded officers;

b. Create a coup climate by propaganda, disinformation, and terrorist activities intended to provoke the left to give a pretext for a coup;*(Hqs. 611, October 7, 1970)

c. Inform those coup-minded officers that the U.S. Government would give them full support in a coup short of direct U.S. military intervention. (Hqs. 762, October 14, 1970)

FN doesn't say US support of terrorist

B. The Chile Task Force

Because of the highly sensitive nature of the operation, a special task force was created in the CIA's Western Hemisphere Division to manage it. The task force was placed under the daily direction of the Deputy Director for Plans, Thomas Karamessines, and a group of the Agency's most experienced and skilled operators were detailed to the task force.

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*A cable sent from CIA Headquarters to Santiago on October 19 focused on creating an appropriate justification for a coup. The cable stated:

1. It still appears that Ref A coup has no pretext or justification that it can offer to make it acceptable in Chile or Latin America. It therefore would seem necessary to create one to bolster what will probably be their claim to a coup to save Chile from communism...You may wish include variety of themes in justification of coup to military for their use. These could include but are not limited to: A) Firm intel. that Cubans planned to reorganize all intelligence services along Soviet/Cuban mold thus creating structure for police state....B)Economic situation collapsing....C)By quick recognition of Cuba and Communist countries Allende assumed U.S. would cut off material assistance to Armed Forces thus weakening them as constitutional barriers. Would then empty armories to Communist Peoples Militia with task to run campaign of terror based on alleged labor and economic sabotage (Use some quotes from Allende on this.)
2. Station has written some excellent prop guidances. Using themes at hand and which best known to you we are now asking you to prepare intel report based on some well known facts and some fiction to justify coup, split opposition, and gain adherents for military group. With appropriate military contact can determine how to "discover" intel report which could even be planted during raids planned by Carabineros.
3. We urge you to get this idea and some concrete suggestions to plotters as soon as you can. Coup should have a justification to prosper.

(Headquarters 882, 19 October 1970)

David A. Phillips, Chief of Station in Rio de Janeiro, was summoned back to Washington to head the operation. With the exception of the Division Chief, William Broe, his deputy James Flannery and the head of the Chile Branch, no other officers in the Division were aware of the task force's activities, not even those officers who normally had responsibility for Chile. The task force had a special communications channel to Santiago and Buenos Aires to compartment cable traffic about Track II. (November 18, 1970, Helms to Kissinger memo, page 3) Most of the significant operational decisions were made by Phillips, Broe and Karamessines, who met on a daily basis.

It should be noted that all those involved with the task force described the pressure from the White House as intense. Indeed, Karamessines has said that Kissinger "left no doubt in my mind that he was under the heaviest of pressure to get this accomplished, and he in turn was placing us under the heaviest of pressures to get it accomplished." (Karamessines testimony, August 6, 1975, page 7) The Deputy Chief of the Western Hemisphere Division, James Flannery, testified that pressure was "as tough as I ever saw it in my time there, extreme." (Flannery testimony, July 15, 1975, page 20) Broe testified that "I have never gone through a period as we did on the Chilean thing. I mean it was just constant, constant....Just continual pressure....It was coming from the White House." (Broe testimony, August 4, 1975, page 55)

C. The Use of the Army Attache and Interagency Relations

The CIA Station in Santiago had inadequate contacts within the Chilean military to carry out its task. However, the U.S. Army Attache in Santiago, Colonel Paul Wimert, knew the Chilean military

very well due to his five years of service there and his broad personal contacts among the Chilean officers. Following a proposal by the Chief of Station, the CIA decided to enlist Colonel Wimert in collecting intelligence concerning the possibility of a coup and to use him as a channel to let the interested Chilean military know of U. S. support for a coup. Karamessines described this procedure for the Committee:

> We also needed contact with a wider segment of the military, the senior military which we had not maintained and did not have, but which we felt confident that our military representative in Chile had....And we got the approval of the DIA to enlist the cooperation of Colonel Wimert in our effort to procure intelligence.
> (Karamessines testimony, August 6, 1975, p. 6)

To obtain Wimert's services, CIA officials prepared a suggested message for the Director of DIA to send to the Army Attache in Santiago through CIA communications channels. Because the DIA Director, General Donald V. Bennett, was in Europe on official business, the Deputy Director of Central Intelligence, General Cushman, invited DIA Deputy Director Lt. General Jammie M. Philpott to his office on September 28, 1970.* During that meeting, General Cushman requested the assistance of the Army Attache, and General Philpott signed a letter which authorized transmission of a message directing the Army Attache:

> ...to work closely with the CAS chief, or in his absence, his deputy, in contacting and advising the principal military figures who might play a decisive role in any move which might, eventually, deny the presidency to Allende.
>
> Do not, repeat not, advise the Ambassador or the Defense Attache of this message, or give them any indication of its portent. In the course of your routine activities, act in accordance with the Ambassador's instructions. Simultaneously, I wish--and now authorize you--to act in a concerted fashion with the CAS chief.

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* General Bennett returned to the United States on the evening of October 10, 1970. General Philpott was Acting Director in Bennett's absence.

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This message is for your eyes only, and should not be discussed with any person other than those CAS officers who will be knowledgeable. CAS will identify them. (Headquarters 380 to Santiago)

For this and all subsequent messages intended for the Army Attache, the secret CIA communications channel was used.

Both General Philpott and Thomas Karamessines testified that initially the Army Attache would be used only to "obtain or procure" intelligence on Chilean military officers.* (Philpott, p. 11; Karamessines, p. 6) The September 28, 1970 message to the Army Attache, however, did in fact trigger his deep involvement in the coup attempt. According to the Attache's testimony, he received day-to-day instructions from the Chief of Station, and on occasion, the COS would show him messages ostensibly from Generals Bennett and/or Philpott, directing him to take certain actions. The COS also transmitted messages from the Army Attache to these Generals.

which were signed?

General Bennett testified that he never had knowledge of Track II and that he never received any communication relating thereto, nor did he ever authorize the transmission of any messages to the Army Attache. General Philpott also testified that he had no recollection of anything connected with Track II after his initial meeting with General Cushman on September 28. (Philpott, p. 16)

U. S. Army Colonel Robert C. Roth, who in September and October 1970 was the Chief of the Human Resources Division, Director of Collection, DIA,

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* In this connection it should be noted that when questioned about this letter, General Philpott testified that he recalled signing an authorization such as that contained in the first paragraph of Headquarters 380 but that he did not recall the authorizations and instructions in paragraphs two and three.

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testified that he recalled working for Generals Bennett and Philpott on "a priority requirement to identify Chilean personalities who might be helpful in preventing the election of Allende as President of Chile." (Roth, Vol. I, p. 6) Though Roth recalls no mention of Track II as such, the goal of this mission is identical to that described in the message of September 28 bearing Philpott's signature.

Beginning on October 15, Roth kept a chronology of his activities connected with Chile. This chronology reflects that there was a meeting on October 21 regarding the preparation of biographic material on Chilean generals which focused on their willingness to participate in a military coup. Generals Bennett, Philpott, and a CIA representative attended. The chronology also shows that on October 21, Roth delivered a message to Mr. Broe to be sent by CIA channels.* A message was sent to Col. Wimert that same day, ostensibly from General Bennett, which authorized:

> FYI: Suspension temporarily imposed on MAP and FMS has been rescinded. This action does not repeat not imply change in our estimate of situation. On the contrary, it is intended to place us in a posture in which we can formally cut off assistance if Allende elected and situation develops as we anticipate. Request up date on situation. (Santiago 446; Ref: Headquarters 762) (Headquarters 934, 21 October 1970)

Roth testified that this DIA project ended on October 23 when he followed Philpott's instructions to deliver biographic information on Chilean figures to Mr. Broe at CIA. Philpott also instructed him that

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* Roth believes that General Philpott directed him to deliver this message and also pressed him on several occasions to seek a response from Broe to an earlier message to Colonel Wimert. (Roth, Vol. II, p.)

"any further action on the subject would henceforth be the responsibility of the CIA and that DIA would perform normal support functions." (Roth, p. 8)*

Both Bennett and Philpott testified that the activities described by Roth were routine DIA activities. However, Colonel Roth testified:

> I believe my impression at the time, or my recollection, is that I was informed that there was concern at the highest U.S. Governmental level over the possible election of Allende, that DIA then had a priority responsibility of coming up with the identities of key Chilean personalities that would be helpful, and so forth. I have nothing specific as to the nature of the instructions or the channels through which they came.
>
> Q. It was your sense at the time that you were working on a project that if it had not been initiated by, at least had the attention of or concern of, the highest level?

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* Roth's chronology also indicates that Philpott had asked that Broe be queried on two or three occasions regarding a report from Wimert and that Philpott instructed that only he (Philpott) would communicate with Cushman if the need arose. (Roth, p. 11) Roth also testified that Philpott advised him that communications with Wimert would be by CIA channels. (Roth, p. 41)

Colonel Roth. That was my impression at the time.

Q. You understand from your work in the Defense Department that the highest level of government usually indicated the President of the United States?

Colonel Roth. I would assume that.

The CIA produced copies of several messages which identify Generals Bennett and Philpott as either the sender or recipient. Among these documents is a message relating to Track II which bears Philpott's purported signature. (Undated message. ca. 14 October 1970) General Philpott admitted that the signature appears to be his but doubted that it was and he could not recall signing it, or having seen it. (Philpott, p.) CIA also produced messages of October 14 (Headquarters 762) and October 21 (Headquarters 934) conveying instructions from General Bennett to the Army Attache. General Bennett testified he did not authorize these messages:

> It is beyond the responsibilities which I had in the military assistance area. It goes beyond the responsibility which I had in terms that I would have to get the authority or the approval of the Secretary through the Chairman for covert action of this magnitude. This message would not have been signed by me. (Bennett testimony, p. 21)

According to Karamessines, only the White House had the authority to issue the directives contained in those messages (Karamessines testimony, p. 84)

The Department of Defense was unable to provide any documents bearing on the issue of Wimert's Track II instructions or responses. A DOD file search under the direction of General Daniel O. Graham, the present Director of DIA, produced no copies of communication documents for the September-October 1970 period. (Graham, p. 6) However, Roth testified that detailed memoranda for the record which he prepared on his activities are missing from the files. (Roth, Vol. II, p.)

CIA officials maintain that they acted faithfully in transmitting messages to Generals Bennett and/or Philpott and in never sending a message without proper authorization. Mr. Karamessines was particularly forceful in this regard:

> ...I can recall no instance in my experience at the Central Intelligence Agency in which a message was received for an individual, an officer of the government anywhere, in whatever department, which was not faithfully, directly, promptly and fully and accurately delivered to that officer, or to his duly authorized representative.
> (Karamessines testimony, p. 79)

> We may have played tricks overseas, but it stopped at the water's edge, and we didn't play tricks among ourselves or among our colleagues within the Agency or in other agencies.
> (Karamessines testimony, p. 79)

> We could not remain in business for a day...if this had been the practice of the Agency. It would have been no time at all before we would have been found out, a single instance of the kind of thing you are suggesting might have taken place would have put us out of business.
> (Karamessines testimony, p. 80)

Dr. Kissinger denied he was ever informed of the Army Attache's role or that he authorized any messages to be sent to the Army Attache. (Kissinger testimony, p. 22)

The investigation to date has not resolved the conflict between the statements of the senior CIA, DIA and White House officials. There are four possibilities that could explain the conflict. First, Generals Bennett and Philpott were cognizant of Track II and communicated their general instructions to the Army Attache. This possibility would be contrary to their sworn testimony. Second, General Bennett was not aware of Track II but General Philpott was and communicated general instructions to the Army Attache. This possibility is supported by Roth's testimony but would be contrary to Philpott's sworn testimony and his duty to keep General Bennett informed. Third, the CIA acted on its own, and, after receiving initial authority from General Philpott, co-opted and ordered

the Army Attache without further informing any member of the Department of Defense of the White House. This possibility would be contrary to the sworn testimony of David Phillips, William Broe, Thomas Karamessines, and William Colby. Supported by Roth in IAR Fourth, members of the White House staff authorized the CIA to convey orders to the Army Attache on the basis of high or highest government authority. Further, that the White House staff directed that the Army Attache's superiors in the Pentagon not be informed. This possibility would contradict the sworn testimony of Dr. Kissinger and General Alexander Haig.

D. The False Flag Base

In order to minimize the risks of making contact with the dissident Chilean officers, the task force decided in late September to set up a "False Flag Base," i.e., to send four staff officers to Chile posing as nationals of other countries to supplement Colonel Wimert's contacts with Chilean military officers.* Given the limitations of the Station's resources and Colonel Wimert's visibility, Headquarters felt the use of "False Flag Officers" was necessary because "We don't want to miss a chance." One of these officers posed as a Brazilian intelligence officer so that "any flap would be a Brazilian one." (Headquarters 363, September 27, 1970)

*The use of "False Flag Officers" is not, according to David Phillips, "an unusual practice," either by the CIA or foreign intelligence services. (Phillips testimony, pp. 47-48)

The False Flaggers were compartmented from each other and reported separately on their contacts to a "deep cover" CIA officer in Santiago who in turn reported to the Station. According to the testimony of the Chief of Station, they received their instructions from Washington and not from him. (Chief of Station testimony (Felix), August 1, 1975, p. 27)

E. Chief of Station

Although most of the Station officers in Santiago did not know of Track II, the Chief and Deputy Chief of Station were knowledgeable and the Chief of Station initiated contacts on his own with Chilean officers. The COS has testified that he regarded Track II as unrealistic:

> I had left no doubt in the minds of my colleagues and superiors that I did not consider any kind of intervention in those constitutional processes desirable....And one of the reasons certainly for my last recall (to Washington) was to be read the riot act--which was done in a very pleasant, but very intelligible manner. Specifically, I was told at that time that the Agency was not too interested in continuously being told by me that certain proposals which had been made could not be executed, or would be counterproductive. (Chief of Station (Felix) testimony, August 1, 1975, p. 10)

The Chief of Station's objection to Track II did not go unnoticed. The following instruction to the COS was sent on October 7: "Report should not contain analysis and argumentation but simply report on action taken." (Headquarters 612, 7 October) Very simply, Headquarters wanted the Station to take orders quietly as was the Agency itself.

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Three examples of the Chief of Station's reporting bear out his claim to have dissented:

> Bear in mind that parameter of action is exceedingly narrow and available options are quite limited and relatively simple.
> (Santiago 424, September 23, 1970)
>
> Feel necessary to caution against any false optimism. It is essential that we not become victims of our own propaganda. (Santiago 441, October 1, 1970)
>
> Urge you do not convey impression that Station has sure-fire method of halting, let alone triggering coup attempts. (Santiago 477, October 7, 1970, p.2)

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IV. CIA Efforts to Promote a Coup

A. The Chilean Conspirators

Anti-Allende coup plotting in Chile centered around several key individuals. One of these was retired General Roberto Viaux, the General who had led the "Tacnazo" insurrection a year before.* Following the "Tacnazo" revolt, and his dismissal from the Army, Viaux retained the support of many non-commissioned and junior officers as well as being the recognized leader of several right-wing civilian groups. (CIA Briefing Paper, "Special Mandate from the President on Chile," July 15, 1975)

Another individual around which plotting centered was General Camilo Valenzuela, Commander of the Santiago Garrison. General Valenzuela was in league with several other active duty officers, including Admiral Hugo Tirado, Navy Commander in Chief; General Vicente Huerta, Director General of the Carabinero (police) Corps; General Canales, Director of the Military Academy; and General Joaquin Garcia, second in command, Air Force. (CIA Report on Chilean Task Force Activities, November 18, 1970) All of these officers, with the possible exception of Canales, were in contact with Viaux as well.**

*This revolt was engineered by Viaux ostensibly for the purposes of dramatizing the military's demand for higher pay, but was widely interpreted as an abortive coup.

**The record of meetings between Viaux and the active duty military officers is incomplete. The record does show, however, that Viaux met with General Huerta around October 7. (Chile Task Force Log, October 7). On October 12 Viaux met with General Valenzuela (Chile Task Force Log, 14 October). One cable from Santiago indicates that Admiral Tirado may have been a member of Viaux's inner circle of conspirators. (Station 545, 16 October 1970) At the very least, Tirado was in contact with Viaux.

Although a distinction can be made between the Viaux and Valenzuela groups, as CIA witnesses did throughout their testimony before the Committee, the principal distinction between the two was that the latter was led by active duty military officers. The two groups were in contact with each other. The record also indicates that they worked together in at least two of the three Schneider kidnap attempts.

There was considerable communication among the various plotting elements. As Thomas Karamessines testified:

> ...I might add here that it seemed that a good dozen or more, maybe 20 Chilean senior officers were privy to what was going on in addition to President Frei and they were all talking to one another exchanging views and trying to see how best to mount the kind of coup that they wanted to see take place. (Karamessines testimony, p. 10)

B. Contacts Prior to October 15

The CIA's initial task in Chile was to assess the potential within the Chilean military to stage a coup. It recognized quickly that anti-Allende currents did exist in the military and the Carabineros (police), but were immobilized by "the tradition of military respect for the Constitution" and "the public and private stance of General Schneider, Commander in Chief of the Army, who advocated strict adherence to the Constitution." (CIA Report on Chilean Task Force Activities, 18 November 1970, p. 17) The Agency's task, then, was to overcome "the apolitical, constitutional-oriented inertia of the Chilean military." (Ibid, p. 2)

Since the very top of the Chilean military, embodied by General Schneider and his second-in-command, General Prat, were hostile to the idea of a coup against Allende, discreet approaches were made to the second level of general officers. They were to be informed that the U.S. Government would support a coup both before and after it took place.* (Headquarters to Station 611, 7 October 1970) This effort began in earnest on October 5 when Colonel Wimert informed both an Army General ("Station's priority contact") an an Air Force General of the pro-coup

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*The military officers were told, for example, that should Allende be prevented from taking office, "The Chilean military will not be ostracized, but rather can continue to count on us for MAP support and maintenance of our close relationship." (Hqs. 075517, 7 October 1970)

U.S. policy. (Santiago 469, October 5; Santiago 473, October 6)*

Three days later the Chief of Station told General Huerta, Commander of the Carabineros that "the U.S. Government favors a military solution and is willing to support it in any manner short of outright military intervention." (Task Force Log, 9 October) General Huerta informed the COS that there was no chance of a coup by the Chilean Army high command. (Task Force Log, 10 October)

On October 7, Colonel Wimert approached members of the War Academy in Santiago who in turn asked him to provide light weapons. This was Colonel Wimert's first contact with the Army Lt. Colonel to whom he would ultimately pass three submachine guns on October 22.** At this meeting, the Lt. Colonel told Colonel Wimert that he and his colleagues were

> trying to exert force on Frei to eliminate Gen. Schneider to either replace him, send him out of the country. They had even studied plans to kidnap him. Schneider is the main barrier to all plans for the military to take over the government to prevent an Allende presidency. (Santiago 483, 8 October)

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*According to the CIA's wrap-up report on Track II, between October 5 and October 20, the CIA Station and the Army Attache--for the most part the latter--made 21 contacts with key military and Carabinero officials. (CIA Report on Chilean Task Force Activities, 8 November 1970)

**In his testimony, Colonel Wimert indicated that the Lt. Colonel was affiliated with General Canales. (Wimert testimony, p. 52) In a cable sent to Headquarters on October 18, in which the Lt. Colonel's request for three submachine guns was made, the Station indicated that Wimert believed the Army officer, and his companion, a Navy Captain, were in league with Admiral Tirado. (Station 562, October 18) At another point in his testimony, Wimert stated, "There was Valenzuela here and the Navy Captain and the Army Lt. Colonel and the Air Force General over here." (Wimert testimony, p. 107) The Committee has been unable to determine the exact affiliation of the Army Lt. Colonel. However, as previously stated, both General Canales and Admiral Tirado were affiliated with General Valenzuela and Admiral Tirado was in contact with General Viaux.

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The next day, October 8, Headquarters cabled the Station in response to the Wimert-Lt. Colonel meeting. Headquarters took note of Schneider's resistance to coup plans and stated:

> ...This would make it more important than ever to remove him and to bring this new state of events...anything we or Station can do to effect removal of Schneider? We know this rhetorical question, but wish inspire thought on both ends on this matter.
> (Hqs. 628, 8 October)

During the first week of intensive efforts chances of success looked unusually bleak. The Chile Task Force Log commented:

> President Frei and the highest levels of the armed forces unable to pull themselves together to block Allende. The Chilean military's tradition of non-intervention, Frei's reluctance to tarnish his historical image, General Schneider's firm constitutional stand, and most importantly, the lack of leadership within the government and military are working against a military takeover.
> (Task Force Log, 8 October)

The following day the Station made reference to the "rapid(ly) waning chances for success." (Santiago 487, 9 October) This pessimism was not dispelled by their simultaneous judgment: "Station has arrived at Viaux solution by process of elimination." (Santiago 504, 10 October) Three days later the Task Force agreed: "We continue to focus our attention on General Viaux who now appears to be the only military leader willing to block Allende." (Task Force Log, 13 October)

If Viaux was the CIA's only hope of staging a coup, things were bleak indeed. His own colleagues, Generals Huerta and Valenzuela described him as "a General without an army." (Santiago 495, 9 October) Yet in the first two weeks of October he came to be regarded as the best hope for carrying out the CIA's Track II mandate.

Although Colonel Wimert was instructed not to involve himself with Viaux because of the high risk involved (Santiago 461, 5 October), he served initially as a contact to Viaux through an Argentine military Attache. The Argentine reported on October 5 that Viaux wanted several hundred paralyzing gas grenades to launch a coup on October 9. (Santiago 476, 6 October) Headquarters turned down the request, concluding that a "mini-coup at this juncture would be counterproductive" and Viaux should postpone his plans, "while encouraging him in a suitable manner to maintain his posture so that he may join larger movement later if it materializes." (Headquarters 585, 6 October)

The primary purpose of the "False Flag Base" was to contact Viaux, and it very rapidly relieved Wimert and the Argentine Attache of that task. Viaux reiterated his demand for an air drop of weapons to the "False Flagger," and again the response was the same: reject the demand for arms, but encourage him to keep planning. In essence the Agency was buying time with Viaux: "We wish to encourage Viaux to expand and refine his coup planning. Gain some influence over his actions." (Headquarters 689, 10 October) To achieve this latter purpose, Headquarters authorized passing $20,000 in cash and a promise of $250,000 in life insurance to Viaux and his associates, as a demonstration of U.S. support. (Headquarters 729, 13 October)

On October 13, Headquarters again indicated its concern over Schneider by asking: "What is to keep Schneider from making statement in early hours which will freeze those military leaders who might otherwise join Viaux?" (Headquarters 729, 13 October) The Station's response later that same day was "Viaux intends to kidnap Generals Schneider and Prats within the next 48 hours in order to precipitate a coup." (Santiago 527,

13 October) This Viaux kidnapping of Schneider was reported by the Station "as part of a coup that included Valenzuela." (Station 529, 13 October)

At about this time the Station began to receive encouragement from its other contacts. On October 14, ten days before the Chilean Congress was to vote, the Task Force Log concluded:

> Now we are beginning to see signs of increasing coup activity from other military quarters, specifically, an Army General (name deleted), Admiral Tirado, the forces in Concepcion and Valdivis and perhaps even Frei and Ossa.
> (Task Force Log, 14 October)

C. October 15 Decision

To summarize, by October 15, General Viaux had advertised to his contact a desire to proceed with a coup, had indicated he would deal with the Schneider obstacle by kidnapping him, had met at least once with Generals Huerta and Valenzuela and had once postponed his coup plans.*

On October 15 Thomas Karamessines met Henry Kissinger and Alexander Haig at the White House to discuss the situation in Chile. According to the Agency's record of this meeting, Karamessines "provided a rundown on Viaux, the Canales meeting with Tirado, and, in some detail, the general situation in Chile from the coup-possibility viewpoint." (Memorandum of Conversation/Kissinger, Karamessines, and Haig, 15 October 1970) A decision was made at the meeting "to de-fuse the Viaux coup plot, at least temporarily:"

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* The reason for Viaux postponing his coup plans was the subject of a cable from Santiago to Headquarters:

> We discount Viaux's statement that he had called off his coup attempt because of False Flag Officer's impending visit. Other reporting indicated Viaux probably not able or intending move this weekend. (Santiago 499, 10 October)

There is also reason to believe that General Valenzuela was instrumental in persuading Viaux to postpone. According to the Chile Task Force Log:

> Station reported that on 12 October General Valenzuela met with General Viaux and attempted to persuade him not to attempt a coup." (Chile Task Force Log, 14 October)

> It was decided by those present that the Agency must get a message to Viaux warning him against any precipitate action. In essence the message should state: "We have reviewed your plans and based on your information and ours, we come to the conclusion that your plans for a coup at this time cannot succeed. Failing, they may reduce your capabilities in the future. Preserve your assets. We will stay in touch. The time will come when you with all your other friends can do something. You will continue to have our support." (15 October Memorandum of Conversation, Kissinger, Karamessines, Haig)

The meeting concluded, according to the Agency's record, "on Dr. Kissinger's note that the Agency should continue keeping the pressure on every Allende weak spot in sight--now, after the 24th of October, after 5 November, and into the future until such time as new marching orders are given. Mr. Karamessines stated that the Agency would comply."*

The following day CIA Headquarters cabled the results of the White House meeting to the Station in Santiago:

> 2. It is firm and continuing policy that Allende be overthrown by a coup....We are to continue to generate maximum pressure toward this end utilizing every appropriate resource.
>
> 3. After the most careful consideration it was determined that a Viaux coup attempt carried out by him alone with the forces now at his disposal would fail. Thus it would be counterproductive to our Track Two objectives. It was decided that CIA get a message to Viaux warning him against precipitate action. (Headquarters 802, 16 October)

The message was supplemented by orders to "continue to encourage him (Viaux) to amplify his planning; encourage him to join forces with other coup planners." (Headquarters 802, 16 October) The message concluded: "There is great and continuing interest in the activities of Tirado, Canales, Valenzuela et al and we wish them optimum good fortune." (Ibid.)

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* Secretary Kissinger's recollection of the October 15 meeting is not in accord with that of Mr. Karamessines or the cable (Headquarters 802) that was sent the following day to the Station in Santiago. This matter will be discussed in Part V of this report.

D. Coup Planning and Attempts After October 15

The decision to "de-fuse" General Viaux was passed to Viaux's father-in-law on October 17. The in-law responded that it did not matter because they had decided to proceed with the coup in any case. (Santiago 533, 17 October) At the final meeting of the CIA "False Flagger" and Viaux's father-in-law on October 18, the Agency was informed that the coup would proceed on October 22, "and that the abduction of General Schneider is first link in chain of events to come." (Santiago 568, 19 October) An "emergency channel" of communication with Viaux was maintained. (Report on CIA Chilean Task Force Activities, 18 November 1970, page 21)

As previously stated, by mid-October things suddenly looked brighter for a coup being mounted by the high-level Chilean military contacts.* As a CIA overview statement in Track II stated:

> Coup possibilities afforded by the active duty military group led by General Valenzuela and Admiral Tirado had always seemed more promising than the capabilities of the Viaux group. These military officers had the ability and resources to act providing they decided to move and organized themselves accordingly.
> (CIA Briefing Paper, "Special Mandate from the President on Chile," July 15, 1975, p. 5)

By mid-October those military officers appeared to be moving in this direction.

On the evening of October 17, Colonel Wimert met with the Army Lt. Colonel and the Navy Captain. They requested 8 to 10 tear gas grenades,

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*Two coup plotters, Generals Canales and Garin, made one last attempt to persuade General Schneider to change his anti-coup position on October 15. The Station reported that the meeting turned out to be a "complete fiasco. Schneider refused to listen to General Canales' eloquent presentation of Communist action in Chile...and adament in maintaining his non-involvement stance." (Santiago 548, 16 October)

three 45-caliber machine guns and 500 rounds of ammunition. The Navy Captain said he had three machine guns himself "but can be identified by serial numbers as having been issued to him. Therefore unable to use them." (Santiago 562, 18 October) Colonel Wimert and the Chief of Station have testified that the officers wanted the machine guns for self-protection. The question, of course, is whether the arms were intended for use, or were used, in the kidnapping of General Schneider. The fact that the weapons were provided the Lt. Colonel and the Navy Captain and that Viaux associates were convicted of the Schneider killing suggests that the guns were not involved.

The machine guns and ammunition were sent from Washington by diplomatic pouch on the morning of October 19, although Headquarters was puzzled about their purpose: "Will continue make effort provide them but find our credulity stretched by Navy Captain leading his troops with sterile guns. What is special purpose for these guns? We will try send them whether you can provide explanation or not." (Headquarters 854, 18 October) The first installment was delivered to the Army Lt. Colonel and the Navy Captain late in the evening of October 18 and consisted of the six tear gas grenades intended originally for Viaux.*

* As previously stated, after October 15 CIA efforts to promote a coup in Chile focussed on the active duty military officers--Valenzuela, et. al.--rather than Viaux. An example of this shift in focus was the decision to provide the Army Lt. Colonel and the Army Captain the tear gas grenades originally intended for Viaux. A cable from Santiago explained the purpose of this action:

> Station plans give six tear gas grenades to Colonel Wimert for delivery to Armed Forces officers (deletion) instead of having False Flag Officer deliver them to Viaux group. Our reasoning is that Wimert dealing with active duty officers. Also False Flagger leaving evening 18 October, and will not be replaced but Wimert will stay here. Hence important that Wimert credibility with Armed Forces officers be strengthened.
>
> (Santiago 562, 18 October)

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That same day, General Valenzuela informed Colonel Wimert that he, General Huerta, Admiral Tirado and an Air Force General were prepared to sponsor a coup. (CIA Report on Chilean Task Force Activities, 18 November 1970) Their plan was to begin with the kidnapping of General Schneider on the following evening, October 19, at a military dinner being given for Schneider,* after which Schneider would be flown to Argentina, Frei would resign and leave Chile, Admiral Tirado would head the military junta, and dissolve Congress. With respect to the kidnapping of Schneider, the cable reports:

> General Viaux knowledgeable of above operation but not directly involved. He has been sent to Vina to stay with prominent physician. Will be seen in public places during 19 and 20 October to demonstrate fact that above operation not his doing. Will be allowed to return to Santiago at end of week. Military will not admit involvement in Schneider's abduction which is to be blamed on leftists. (Santiago 566, 19 October)

The kidnapping of the evening of October 19 failed because General Schneider left in a private vehicle, rather than in his official car, and his police guard failed to be withdrawn, but the Army Lt.Colonel assured Colonel Wimert that another attempt would be made on October 20. (Santiago 582, 20 October) Colonel Wimert was authorized to pay Valenzuela $50,000 "which was the price agreed upon between the plotters and the unidentified team of abductors."

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* The "False Flag Officer" who was in contact with Viaux at the time the Valenzuela plan was given to Colonel Wimert apparently understood that Viaux was involved in the October 19 attempt. He stated:

> Q. Were you told any of the details of how the (Viaux) kidnapping would be carried out?
>
> Mr. Sarno. They indicated it was going to be at some sort of a banquet which the General (Schneider) would be attending.
>
> (Sarno testimony, p. 37)

but Wimert insisted that the kidnapping be completed before he paid the money. (Task Force Log, 20 October) At the same time General Valenzuela assured Colonel Wimert that the military was now prepared to move. (Task Force Log, 20 October) The second abduction attempt on the 20th also failed and the Task Force concluded

> Since Valenzuela's group is apparently having considerable difficulty executing even the first step of its coup plan, the prospects for a coup succeeding or even occurring before 24 October now appears remote. (Task Force Log, 22 October)

E. The Killing of General Schneider

In the early morning hours of October 22 (2 am), Colonel Wimert delivered the three submachine guns with ammunition to the Army Lt. Colonel in an isolated section of Santiago.*

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*Although Colonel Wimert's testimony and the cable traffic do not clearly establish the identity of the group to which the Lt. Colonel was affiliated (see page 31) two CIA statements on Track II tie the weapons, and therefore the Lt. Colonel, to the Valenzuela group:

> ...The only assistance requested by Valenzuela to set the plan /of October 19/ into motion through Schneider's abduction was several sub-machine guns, ammunition, a few tear gas grenades and gas masks (all of which were provided) plus $50,000 for expenses (which was to be passed upon demand.
>
> (CIA Report on Chilean Task Force Activities, 18 November 1970, p. 22)

> ...Three sub-machine guns, together with six gas cannisters and masks, were passed to the Valenzuela group at 2 am on 22 October. The reason why they still wanted the weapons was because there were two days remaining before the Congress decided the Presidential election and the Valenzuela group maintained some hope they could still carry out their plans.
>
> (CIA Briefing Paper, "Special Mandate from the President on Chile," p. 7, July 15, 1975)

At about 7 am that day the group that intended to kidnap General Schneider met to discuss last-minute instructions. According to the findings of the Chilean Military Court which investigated the Schneider killing, neither the Army Lt. Colonel nor the Navy Captain were there. Shortly after 8 am, General Schneider's car was intercepted, on his way to work, by the abductors and he was mortally wounded when he drew his handgun in self-defense. The Military Court determined that hand guns had been used to kill General Schneider, although it also found that one unloaded machine gun was at the scene of the killing.*

The first Station reports following the Schneider shooting said "Military Mission sources claim General Schneider machine gunned on way to work" (Santiago 587, 22 October) and "Assailants used grease guns." (Santiago 589, 22 October). The submachine guns had previously been described as "grease guns." Thus the initial reaction of the Station was that Schneider had been shot with the same kind of weapons delivered several hours earlier to the Army Lt. Colonel. Santiago then informed Headquarters "Station has instructed Col. Wimert to hand over $50,000 if Gen. Valenzuela requests " (Santiago 592, 22 October), thus indicating that the Station thought the kidnapping had been accomplished by Valenzuela's paid abductors. Later that day, the Station cabled Headquarters:

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* The Military Court determined that those who participated in the shooting of General Schneider on October 22 were part of the Viaux-led conspiracy. The Court also found that this same group had participated in the October 19 and 20 kidnap attempts.

In June 1972 General Viaux was convicted for complicity in the plot culminating in the death of General Schneider. He received a 20-year prison sentence for being "author of the crime of kidnapping which resulted in serious injury to the victim," and a five-year exile for conspiring to cause a military coup. Also convicted on the latter charge were Generals Valenzuela and Tirado. They received sentences of three years in exile.

Station unaware if assassination was premeditated or whether it constituted bungled abduction attempt. In any case, it important to bear in mind that move against Schneider was conceived by and executed at behest of senior Armed Forces officers. We know that General Valenzuela was involved. We also near certain that Admiral Tirado, Army Lt. Colonel and Navy Captain witting and involved. We have reason for believeing that General Viaux and numerous associates fully clued in, but cannot prove or disprove that execution or attempt against Schneider was entrusted to elements linked with Viaux. Important factor to bear in mind is that Armed Forces, and not retired officers or extreme rightests, set Schneider up for execution or abduction.... All we can say is that attempt against Schneic is affording Armed Forces one last opportunit to prevent Allende's election if they are will to follow Valenzuela's scenario.
(Santiago 598, 22 October)

Although i prediction of (an abduction a constitutional Dr. Allende wa died the next

F. Post October 22 Events

The shooting of General Schneider resulted immediatel tion of martial law, the appointment of General Prats to as Commander in Chief, and the appointment of General Val uel of Santiago province. These measures, and others taken, Task Force to make the following initial judgment:

> With only 24 hours remaining before the Congre runoff, a coup climate exists in Chile....The on General Schneider has produced developments closely follow Valenzuela's plan....Consequent plotters' positions have been enhanced.
> (Chile Task Force Log, 22 Octob

On October 23, Director Helms reviewed and discussed

> It was agreed...that a maximum effort has beer and that now only the Chileans themselves can successful coup. The Chileans have been guide point where a military solution is at least op them. (Task Force Log, 24 Octob

Although it was not immediately clear to CIA observers, the Station's prediction of October 9 that the shooting of Schneider (as a result of an abduction attempt) would "rally the Army firmly behind the flag of constitutionalism" was correct. (Santiago 495, 9 October) On October 24 Dr. Allende was confirmed by the Chilean Congress. General Schneider died the next day.

V. CIA/White House Communication During Track II

The testimony given to the Committee by Henry Kissinger and General Haig conflicts with that given by CIA officials.

Kissinger and Haig testified that on October 15, 1970, the White House stood down CIA efforts to promote a military coup d'etat in Chile. Both testified that after that date they were neither informed of, nor authorized, CIA Track II activities, including the kidnap plans of General Schneider and the passage of weapons to the military plotters.

By contrast, CIA officials testified that they operated before and after October 15 with the knowledge and approval of the White House.

The conflict pertains directly to the period after October 15, but it bears on the degree of communication between the White House and the CIA in the earlier period as well. For instance, Henry Kissinger testified that he was informed of no coup plan which began with the abduction of General Schneider. He was aware of General Viaux's plan--which he and Karamessines decided on October 15 to try to forestall--but did not know that it was to begin with Schneider's abduction.

CIA officials, especially Thomas Karamessines, stated that there was close consultation throughout Track II between the Agency and the White House. Karamessines testified that he met with Kissinger some six to ten times during the five weeks of Track II (Karamessines testimony, page 66); and that he kept Kissinger generally informed of developments. (Ibid., page 56) The Committee has records of two meetings between Karamessines and Kissinger and of one telephone conversation between Karamessines and Kissinger's deputy, General Alexander Haig. Karamessines' daily calendar indicates that three other meetings with General Haig took place--but does not establish with certainty that the topic was

A. September

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September 18

Helms and Karamessines met with Kissinger at the White House. As Helms' notes of the September 15 meeting indicate, Kissinger wanted a plan within 48 hours. In the meeting on the 18th, according to CIA records, there was little discussion of a military coup. Rather the conversation focused on "what economic leverage could be exercised in the Chilean situation...." (Memorandum/Meeting with DDP, 18 September)

The efficacy of economic pressure continued to be a subject of concern during the last days of September. Apparently that pressure was viewed as another inducement to Frei to opt for the "Frei gambit."

September 21

The 40 Committee met. The Select Committee has no confirmation that Chile was on the agenda at this meeting. Karamessines' calendar confirms that he attended; presumably Kissinger, the 40 Committee chairman, also attended, although the Committee has not been able to review his calendar. All that can be said about this meeting--and the meetings of the Senior Review Group, which Kissinger also chaired--is that the meetings afforded Karamessines and Kissinger an opportunity to meet privately and discuss Track II if they desired. In all these instances save the 40 Committee meeting on September 22, the Committee has no evidence to confirm that such a private Kissinger/Karamessines meeting actually took place. That the CIA prepared a memorandum of conversation for the private meeting on the 22nd but has been able to find none for other meetings may provide some support for the argument that no other such private meetings occurred.

September 22

Kissinger asked Karamessines to stay behind after a 40 Committee meeting called to discuss Track I. The two men discussed Track II actions, especially the contacts with then-Chilean-President Frei. According to

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CIA records of the meeting, Kissinger told Karamessines that "our handling of the problem during the earlier meeting had been perfect and he added we were doing fine and keep it up." (Memorandum for the Record/Chile, 22 September 1970, by Thomas Karamessines)

B. October

October 5

A cable sent to Santiago, released by Karamessines, requested a report on how the Station planned to contact the three Chilean Generals --Prats, Valenzuela and Huerta--named in a cable of September 30. (Headquarters 449) The October 5 cable indicated that the report was needed for a discussion with Kissinger on October 6. (Santiago 556, 5 October 1970) Karamessines presumed such a meeting had taken place, although he had no specific memory of it. (Karamessines testimony, pp. 69-70) His calendar for October 6 indicates that he attended a 40 Committee meeting on Chile. (Karamessines calendar) Kissinger chaired the 40 Committee.

October 6

The Station reported that General Viaux was "ready to launch golpe evening 9 October, or morning 10 October." (Santiago 472, 6 October 1970) In response, CIA Headquarters labeled the prospective coup one "with scant chance of success which will vitiate any further more serious action." The Station was directed to try to "stop ill-considered action at this time." (Headquarters 585, 6 October 1970)

Kissinger testified he had not been informed of the Viaux plan, supporting his recollection with the fact that the CIA memorandum of an October 10 conversation between Karamessines and Haig (see below) makes no mention of any previous plots. (Kissinger testimony, p. 24)

Similarly, Kissinger did not remember having been informed that the CIA had called off a coup it regarded as premature. He stated:

> My perception at that period was that if they had a coup they would come...back to us before triggering it...at no time during the period did they, in fact, tell us...that they had a coup that might be ready to go. And, indeed, they generally told us the opposite.
> (Kissinger testimony, pp. 25-26)

As Karamessines' calendar indicated, there was a 40 Committee meeting on October 6. He attended this meeting, along with Richard Helms and William Broe of the CIA. According to the minutes of that meeting, CIA efforts to promote a military coup in Chile were not discussed. However, in an exchange with Charles Meyer, who was then the State Department's Assistant Secretary for Latin American Affairs, Dr. Kissinger stressed the desire of "higher authority" (President Nixon) to prevent Allende's assumption of office. According to the minutes:

> Mr. Meyer pointed to the need to determine a post-Allende position such as proposed in NSSM 97. It was agreed that an early NSC meeting was desirable on that subject. Mr. Kissinger said this presumed total acceptance of a fait accompli and higher authority had no intention of conceding before the 24th; on the contrary, he wanted no stone left unturned. (Memorandum for the Record/Minutes of the Meeting of the 40 Committee, 6 October 1970, 7 October 1970)

<u>October 8</u>

Karamessines met for lunch with General Haig. (Karamessines calendar)

In his testimony, Haig recalled being aware that the CIA was in touch with two differenct groups of military plotters. He believed there must have been another meeting in which the CIA informed him of its on-going contacts.

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> It seems to me, although the records don't reflect it, that there was a meeting in September, a very brief one, in which I must have been told that there was a specific program going underway. That probably would have been by Henry (Kissinger) and perhaps with Karamessines there. I am not sure. (Haig testimony, p. 12)

<u>October 10</u>

Karamessines discussed the Chilean situation by telephone with General Haig. He indicated that the Station had "made direct contact with a number of the senior military officers, especially those who had been reportedly very activist-minded and had received pessimistic reactions from all." (Memorandum/FUBELT, by William Broe, 10 October 1970)

Haig recalled the telephone conversation with Karamessines on the 10th. His recollection accords with the CIA memorandum of conversation.

> I do know, and I know that from looking at the record this morning, that Karamessines made a telephone call to me in which he gave a progress report. I recall that. It was in effect a negative progress report, that they were just not coming up with it. (Haig testimony, p. 12)

meeting on the 15th (see below) to have discussed the results of the October 14th message. But the CIA record makes no mention of any such discussion. (Kissinger testimony, p. 53)

October 14

The 40 Committee met to discuss, among other topics, Chile. In addition to the 40 Committee principals (Kissinger, John Mitchell, David Packard, Alexis Johnson, Admiral Moorer), the meeting was attended by Karamessines, William Broe and General Robert Cushman of the CIA, Charles Meyer from State, Viron Vaky, and Ambassador Korry, who had returned to Washington from Santiago for a short period of consultation.

According to the minutes of that meeting, Kissinger asked Karamessines to give a rundown on the latest developments and present situation in Chile. Karamessines pointed out that "a coup climate does not presently exist." He noted that "the unpredictable General Viaux is the only individual seemingly ready to attempt a coup and...his chances of mounting a successful one were slight." Ambassador Korry agreed with Karamessines' assessment and stated that "as of now it seemed almost certain that Allende would be voted into office on October 24th." Kissinger then observed that "there presently appeared to be little the U.S. can do to influence the Chilean situation one way or another." Other participants at the meeting concurred. (Memorandum for the Record/Minutes of the Meeting of the 40 Committee, 14 October 1970, 16 October 1970)

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October 15

Karamessines met with Kissinger and Haig at the White House to discuss Track II. According to the CIA memorandum of conversation, Karamessines gave a run-down on Viaux, Canales and Tirado and "the general situation in Chile from the coup-possibility viewpoint." It was concluded that Viaux did not have more than one chance in twenty--perhaps less--to launch a successful coup. Kissinger ticked off the list of negative repercussions from an unsuccessful coup. The CIA record of the meeting continues:

> 5. It was decided by those present that the Agency must get a message to Viaux warning him against any precipitate action. In essence our message was to state: "We have reviewed your plans, and based on your information and ours, we come to the conclusion that your plans for a coup at this time cannot succeed. Failing, they may reduce your capabilities for the future. Preserve your assets. We will stay in touch. The time will come when you with all your other friends can do something. You will continue to have our support."
>
> 6. After the decision to de-fuse the Viaux coup plot, at least temporarily, Dr. Kissinger instructed Mr. Karamessines to preserve Agency assets in Chile, working clandestinely and securely to maintain the capability for Agency operations against Allende in the future.
>
> 8. The meeting concluded on Dr. Kissinger's note that the Agency should continue keeping the pressure on every Allende weak spot in sight--now, after the 24th of October, after 5 November, and into the future until such time as new marching orders are given. Mr. Karamessines stated that the Agency would comply.
> (Memorandum of Conversation/Dr. Kissinger, Mr. Karamessines, Gen. Haig at the White House, 15 October 1970)

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Kissinger, in his testimony before the Committee, regarded the CIA memorandum of conversation as substantially correct, although somewhat more detailed than he would have remembered. (Kissinger testimony, p. 52) He believed the Agency had been told to "stand down and preserve your assets."

Kissinger believed that the gist of the October 15th meeting as recorded in the CIA memorandum was incompatible with the order the CIA issued to its Station the next day, an order ostensibly based on the October 15th meeting. And, he noted, in writing its memorandum of the meeting of the 15th, the CIA had a "high incentive to preserve the maximum degree of authority." (Ibid., pp. 55-56) The October 16th order indicated that Track II had been reviewed at "high USG level" the previous day, and stated:

> 2. It is firm and continuing policy that Allende be overthrown by a coup. It would be much preferable to have this transpire prior to 24 October but efforts in this regard will continue vigorously beyond this date....
>
> 4. There is great and continuing interest in the activities of Tirado, Canales, Valenzuela et al and we wish them optimum good fortune.
> (Headquarters 802, 16 October 1970)

Kissinger recalled the October 15th conversation as "turning off the coup plans rather than giving a new order to do them." (Kissinger testimony, p. 56) Haig agreed in his testimony.

> The conclusions of that meeting were that we had better not do anything rather than something that was not going to succeed....My general feeling was, I left that meeting with the impression that there was nothing authorized."
> (Haig testimony, p. 13)

October 10-October 22 (approximate)

Karamessines and one or two others went with Kissinger to speak with the President, after a larger meeting. Karamessines believed this meeting took place between October 10 and 24. (Karamessines testimony, p. 89) According to Karamessines, the "President went out of his way to impress all of those there with his conviction that it was absolutely essential that the election of Mr. Allende to the presidency be thwarted."* As they were leaving the Oval Office, the President took Karamessines aside to reiterate the message. (Karamessines testimony, p. 8)

October 19

Station cabled Headquarters early in the morning, advising that the tear gas had been passed and outlining the Valenzuela coup plan, beginning with the kidnap of Schneider. In testimony before the Committee, Karamessines indicated he certainly would have reported the Valenzuela plan to Kissinger "very promptly, if for no other reason than that we didn't have all that much promising news to report to the White House...." (Karamessines testimony, p. 72)

> And as I say, if for no other reason we would have wanted to get this kind of hopeful report to the White House as soon as possible, and it would be my best estimate now that that is precisely what we did. (p. 72)

In the afternoon of the 19th, Karamessines met with General Haig for an hour at the White House. (Karamessines calendar) By then, Karamessines would have had in hand the cable outlining the Valenzuela

*If the meeting with the President occurred after October 15, that would lend credence to the testimony of CIA officials that they were not directed to end their coup efforts in the October 15th meeting. Unfortunately, the Committee has not had access to the daily calendars of President Nixon or Secretary Kissinger, which might pinpoint the date of the President's conversation with Karamessines. Those calendars, along with other White House documents bearing on Track II, have been subpoenaed.

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plan, since the cable had arrived that morning. However, General Haig had no recollection of the meeting with Karamessines on the 19th. Nor did he believe he had been informed of the Valenzuela plan. "This is all very new to me. I hadn't seen any of this, and I was not familiar with this particular plan...or $50,000, or any of the characters that are described in here." (Haig testimony, pp. 38-39)

Similarly, Kissinger testified that he had not been informed of the Valenzuela plan. He said he "was informed of nothing after October 15th...." (Kissinger testimony, p. 65) He indicated that, according to his daily calendar, he had no conversation with either Karamessines or Helms between the 15th and the 19th. (Ibid., p. 53) He indicated that he never knew that the CIA was in the process of passing guns and tear gas to Chilean military conspirators. He said "...there was no further meeting on that subject. In anybody's record, mine or theirs (the CIA's), none of the information from the 16th on was familiar to me." (Ibid., p. 62)

Kissinger further testified he did not know that the United States was dealing with Chilean officers who plotted a coup which involved the abduction of General Schneider:

> Senator Hart of Colorado. I am not sure that the record clearly shows you answer to the direct question of whether you knew or did not know that we were negotiating with military officers with regard to a plot that did involve the abduction of General Schneider.
>
> Secretary Kissinger. I said I did not know. (Kissinger testimony, p. 86)

Nor did General Haig believe he had been informed of any abduction plans before the fact.

Q. Were you aware during that period of time of the plans to kidnap General Schneider?

General Haig. I was aware after the fact....

Q. But you were never informed prior to his attempted abduction?

General Haig. I don't believe I was at all.

October 20

A cable to the Station indicated that "while awaiting word on whatever events may have occurred 19 October, please let us know what you can on interim basis....Headquarters must respond during morning 20 October to queries from high levels." (Headquarters 883, 20 October 1970) Karamessines testified that the references to "high levels" in the cable of the 20th meant White House officials, probably Kissinger. He felt quite certain that Kissinger would have been briefed in advance about Valenzuela's plan for the 19th and so would have been expected to ask what happened on the morning of the 20th. (Karamessines testimony, p. 73) In contrast, Kissinger interpreted that cable in precisely the opposite light. He felt it indicated that he had not been informed of the Valenzuela plan in advance. When news of the Schneider kidnap reached the White House, Kissinger believed he would have had "somebody pick up a telephone and say, 'What is this all about?'" (Kissinger transcript, p. 68)

October 22

Karamessines met with Haig at the White House. (Karamessines calendar) General Haig remembered that word of the shooting of Schneider came as "a great shock" to him, and he believed that Karamessines had told him about it in their meeting on the 22nd. He thought that Kissinger either was present at the meeting or that he, Haig, had gone immediately in to Kissinger's office to relate what Karamessines had told him. (Haig testimony, p. 36)

C. December

December 2

A memorandum, dated December 2, 1970, from Helms to Kissinger stated that Helms had given a recapitulation on Track II to Attorney General Mitchell, who would deliver it personally to Kissinger. A handwritten note on the memorandum reads: "sent to Kissinger via DCI (Helms)." (Helms memorandum for Kissinger, 2 December 1970) The report, which was dated November 18, 1970, contained a full account of CIA activities during Track II, including the several plans to kidnap Schneider and the passage of weapons to the Chilean conspirators. (Report on CIA Chilean Task Force Activities, 15 September to 3 November 1970, 18 November 1970)

In his testimony to the Committee, Kissinger did not recall receiving the report, although he doubted that he would have read such an "after action" report in any case. He testified that he could not find it in his files, in contrast to his finding a CIA report on Track I, dated November 19, 1970. Kissinger was puzzled by a number of aspects of the memorandum and report: why there were two reports, why the report of the 18th apparently was only called to his attention on the 2nd of December, and why it was to be delivered through Mitchell. (Kissinger testimony, pp. 71, 74)

D. Did Track II End?

The Committee also received conflicting testimony about whether or not Track II ever ended, formally or in fact. As noted above, Kissinger indicated that Track II was supposed to have ended, as far as he was concerned, on October 15. It was formally terminated, according to Kissinger, by a new Presidential marching order issued prior to the October 24 vote of the Chilean Congress.

The Committee does not have this new "marching order" in its possession. However, CIA officials from whom the Committee took testimony believed that there had been no such definitive end to Track II. It merely tapered off, to be replaced by a longer-term effort to effect a change of government in Chile. Karamessines' testimony was most explicit:

> Mr. Karamessines. I am sure that the seeds that were laid in that effort in 1970 had their impact in 1973. I do not have any question about that in my mind either. (Karamessines testimony, p. 26)
>
> ***
>
> Q. Was Track II ever formally ended? Was there a specific order ending it?
>
> Mr. Karamessines. As far as I was concerned, Track II was really never ended. What we were told to do in effect was, well, Allende is now President. So Track II, which sought to prevent him from becoming President, was technically out, it was done. But what we were told to do was to continue our efforts. Stay alert, and to do what we could to contribute to the eventual achievement of the objectives and purposes of Track II. That being the case, I don't think it is proper to say that Track II was ended.
> (Ibid., pp. 128-129)

When informed of Karamessines' testimony that Track II was never ended, Kissinger testified:

> The Chairman. Would you take issue with that, with the (Karamessines) testimony?
>
> Secretary Kissinger. Totally....It is clear that...after October 15th that there was no separate channel by the CIA to the White House and that all actions with respect to Chile were taken in the 40 Committee framework. There was no 40 Committee that authorized an approach to or contact with military people, no plots which I am familiar with, and all the covert operations in Chile after Allende's election by the Congress were directed towards maintaining the democratic opposition for the 1976 election. And that was the exclusive thrust, and if there was any further contact with military plotting, it was totally unauthorized and this is the first that I have heard of it. (Kissinger testimony, pp. 75-77)

Should put in that Trueheart or staff

(Draft--9/8/75)

A. Summary

South Vietnamese President Ngo Dinh Diem and his brother, Ngo Dinh Nhu, were assassinated during a coup by Vietnamese generals on November 2, 1963. Evidence before the Committee indicates that the United States Government offered encouragement for the coup, but neither desired nor was involved in the assassinations. Rather, Diem's assassination appears to have been a spontaneous act by Vietnamese generals, engendered by anger at Diem for refusing to resign or put himself in the custody of the leaders of the coup.

On one occasion, General Duong Van Minh ("Big Minh") outlined to a CIA officer the possible assassination of Nhu and another brother, Ngo Dinh Can, as one of three methods being considered for changing the government in the near future. Ambassador Henry Cabot Lodge and Deputy Chief of Mission William Trueheart were informed of this possibility by the Saigon Chief of Station, who recommended that "we do not set ourselves irrevocably against the assassination plot, since the other two alternatives mean either a bloodbath in Saigon or a protracted struggle which would rip the Army and the country asunder" (CIA cable SAIG 1447, Saigon Station to DCI, 10/5/63). Upon being informed, Director McCone sent two cables. The first stated "[w]e cannot be in the position of stimulating, approving, or supporting assassination", and the second directed that the recommendation be withdrawn because "we cannot be in position actively condoning such course of action and thereby engaging

our responsibility therefor" (CIA cable, DCI to Saigon 10/5/63); CIA cable DIR 73661, DCI to Saigon, 10/6/63).

B. <u>The Abortive Coup of August 1963</u>

On May 8, 1963, South Vietnamese troops in the City of Hue fired on Buddhists protesting against the Diem Government, killing nine and wounding fourteen. This incident triggered a nationwide Buddhist protest and a sharp loss of popular confidence in the Diem regime.*

On May 18, United States Ambassador Frederick E. Nolting met with Diem and outlined steps which the United States desired him to take to redress the Buddhist grievances and recapture public confidence. These steps included admitting responsibility for the Hue incident, compensating the victims, and reaffirming religious equality in the country. (Pentagon Papers, p.208) On June 3, Madame Nhu, the wife of Diem's brother, Nhu, publicly accused the Buddhists of being infiltrated with Communist agents; Truehart protested her remarks to Diem and threatened to dis-associate the United States from any repressive measures against the Buddhists in the future (Pentagon Papers, p.308). Shortly thereafter, Madame Nhu commented on the self-immolation of Quang

* Senator Gravel Edition, <u>The Pentagon Papers</u>, The Defense Department History of United States Decisionmaking on Vietnam, pp. 207-208, Volume II, Beacon Press, Boston (hereinafter cited as Pentagon Papers). Former Public Affairs Officer of the U.S. Embassy in Saigon, John Mecklin),in his book, <u>Mission in Torment</u>, An Intimate Account of the U.S. Role in Vietnam, Doubleday and Company, 1965, (hereinafter cited as Mecklin, at pages 158-60 described the vulnerability of the Buddhists to Communist infiltration during this period noting that it""offered a classic opportunity for a Communist sleeper ploy."

Duc and other Buddhist monks by stating that she would like to furnish mustard for the monks' barbecue. On June 12, Trueheart told Diem that Quang Duc's suicide had shocked the world and again warned that the United States would break with his government if he did not solve the Buddhist problem. (Pentagon Papers, p. 208.)

Lucien Conein, a CIA officer in Saigon,* testified that the Buddhist uprisings were the catalyst that ultimately brought down the Diem regime (Conein, pp. 42-44). These events led the United States to apply "direct, relentless, and tablehammering pressure on Diem such as the United States has seldom before attempted with a sovereign friendly government." (Mecklin, p. 169)

By July 4, 1963, Generals Minh, Don, Kim, and Khiem had agreed on the necessity for a coup.**

In his final meeting on August 14 with Ambassador Nolting, Diem agreed to make a public statement offering concessions to the Buddhists. This statement took the form of an interview

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* Conein testified that he had known the Generals involved in the coup

> "for many years. Some of them I had known back even in World War II. Some of them were in powerful positions, and I was able to talk to them on a person to person basis, not as a government official." (Conein, p. 17.)

** Conein's After-Action Report stated that:

> "The majority of the officers, including General Minh, desired President Diem to have honorable retirement from the political scene in South Vietnam and exile. As to Ngo Dinh Nhu and Ngo Dinh Can, there was never dissention. The attitude was that their deaths, along with Madame Ngo Dinh Nhu, would be welcomed." (Conein After-Action Report, p. 10.)

with the columnist, Margurite Higgins, in which Diem asserted that his policy toward the Buddhists had always been conciliatory and asked for harmony and support of the government.

Shortly after midnight on August 21, 1963, Nhu ordered forces loyal to him to attack pagodas throughout Vietnam, arresting monks and sacking the sacred buildings. Over thirty monks were injured and 1,400 arrested. The American Embassy was taken by surprise and viewed the attacks as a shattering repudiation of Diem's promises to Nolting. (Pentagon Papers, p.210)*

On August 24, 1963, the State Department sent a cable (Deptel 243) to the new ambassador in Vietnam, Henry Cabot Lodge. The telegram was prepared by Roger Hilsman, Assistant Secretary of State for Far Eastern Affairs, and Under Secretary of State Averell Harriman, and was approved by President Kennedy. (Pentagon Papers, p.235) Deptel 243 told Lodge to press Diem to take "prompt dramatic actions" to redress the grievances of the Buddhists.

> "We must at same time also tell key military leaders that US would find it impossible to continue support GVN (Vietnamese Government) militarily and economically unless above steps are taken immediately which we recognize requires removal of the Nhu's from the scene. We wish give Diem reasonable opportunity to remove Nhu's but if he remains obdurate, then we are prepared to accept the obvious implication that we can no longer support Diem. You may also tell appropriate military commanders we will give them direct support in any interim period of breakdown central government mechanism . . . . Concurrently with above, Ambassador and country teams should urgently examine all possible alternative leadership and make detailed plans as to how we might bring Diem's replacement if this should become necessary . . . ."

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* Conein testified that the raids might have been timed to occur when no American Ambassador was in Vietnam (Nolting had left a few days before and his replacement, Lodge, had not yet arrived) (Conein, p.21).

In a cable on August 25, CIA Chief of Station John Richardson reported the result of a conference among himself, Lodge, Trueheart, General Harkins (Commander, Military Assistance Command, Vietnam (MACV) and General Weede (Chief of Staff, MACV). They accepted Deptel 243 "as a basic decision from Washington and would proceed to do their best to carry out instructions", (I.G., C, pp. 7-8) but believed that Diem would refuse to remove his brother from his position in the government.

Early in the morning of August 26, 1963, the Voice of America in South Vietnam placed the blame on Nhu for the August 21 raids and absolved the army. The broadcast also reported speculation that the United States contemplated suspending aid to the South Vietnamese Government (Pentagon Papers, p. 212).* Later on that same day, Lodge presented his credentials to Diem. CIA officers Conein and Spera were told to see Generals Khiem and Khanh, respectively, and to convey to them the substance of Deptel 243, but to remind them that "we cannot be of any help during initial action of assuming power of state. Entirely their own action, win or lose" (SAIG 0304, 8/26/63).

A message from the White House on August 29 authorized Harkins to confirm to the Vietnamese Generals that the United States would support a coup if it had a good chance of succeeding, but did not involve United States armed forces. Lodge was authorized to suspend United States aid at his discretion. (Deptel 272, 8/29/63.) A cable from the President to Lodge on the same day stated:

*In a cable to Harriman, Lodge complained that the VOA broadcast had "complicated our already difficult problem" by eliminating "the possibility of the generals' effort achieving surprise." Lodge further warned that "the US must not appear publicly in the matter, thus giving the 'kiss of death' to its friends" (Cable, Lodge to Harriman, 8/26/63).

"I have approved all the messages you are receiving from others today, and I emphasize that everything in these messages has my full support. We will do all that we can to help you conclude this operations successfully . . . . Until the very moment of the go signal for the operation by the Generals, I must reserve a contingent right to change course and reverse previous instructions. While fully aware of your assessment of the consequences of such a reversal, I know from experience that failure is more destructive than an appearance of indecision. I would, of course, accept full responsibility for any such change as I must also bear the full responsibility for this operation and its consequences." (Cable, 8/29/63).

In a reply cable, Lodge stated:

"1. I fully understand that you have the right and responsibility to change course at any time. Of course I will always respect that right.

2. To be successful, this operation must be essentially a Vietnamese affair with a momentum of its own. Should this happen you may not be able to control it, i.e., the "go signal" may be given by the generals." (Cable, Lodge to President, 8/30/63)

A cable from Saigon dated August 31, 1963, stated:

"This particular coup is finished . . . . Generals did not feel ready and did not have sufficient balance of forces . . . . There is little doubt that GNV (South Vietnamese Government) aware US role and may have considerable detail . . . ." (SAIG 0499, 8/31/63)

Deptel 243 and the VOA broadcast set the tone for later relations between the United States representatives and the generals. Big Minh, who had initial doubts about the strength of American support, grew in confidence.

C. The November 1963 Coup

American dissatisfaction with the Diem regime became increasingly apparent. On September 8, AID Director David Bell, in a television interview, stated that Congress might cut aid to South Vietnam if the Diem government did not change its course

(Pentagon Papers, p. 214). Lodge suggested a study to determine the most effective methods of cutting aid to topple the regime (Pentagon Papers, p. 214). On September 12, with White House approval, Senator Church introduced a resolution in the Senate condemning the South Vietnamese Government for its repressive handling of the Buddhist problem and calling for an end to United States aid unless the oppressive measures were curtailed (Pentagon Papers, pp. 214-215).

In mid-September 1963, two proposals for dealing with Diem were considered by the Administration. The first contemplated increasingly severe pressure to bring Diem in line with American policy; the second involved acquiescing in Diem's actions, recognizing that Diem and Nhu were inseparable, and attempting to salvage as much as possible. It was decided to adopt the first proposal, and to send Secretary of Defense McNamara and General Taylor on a fact-finding mission to Vietnam. (Pentagon Papers, p. 215.)

On October 2, McNamara and Taylor returned to Washington and presented their findings to the National Security Council. Their report confirmed that the military effort was progressing favorably, but warned of the dangers inherent in the political turmoil and recommended bringing pressure against Diem. This pressure would include announcing the withdrawal of 1,000 American troops by the end of the year, ending support for the forces responsible for the pagoda raids, and continuing Lodge's policy of remaining aloof from the regime. The report recommended

against a coup, but suggested that alternative leadership should be identified and cultivated. The recommendations were promptly approved by the President. (Pentagon Papers, pp.215-216)

On October 3 Conein contacted Minh. Minh explained that a coup was being planned, and requested assurances of American support if it were successful. Minh outlined three courses of action, one of which was the assassination of Diem's brothers, Nhu and Can (Conein, p.25; cable, Saigon to Director, 10/5/63).* The Acting Chief of the CIA Station, David R. Smith, cabled on October 5 that he had recommended to Lodge that "we do not set ourselves irrevocably against the assassination plot, since the other two alternatives mean either a blood bath in Saigon or a protracted struggle" (Cable, Saigon to Director, 10/5/63). Assass.

A cable from the Director, CIA to Saigon responded that:

> "(w)e certainly cannot be in the position of stimulating, approving, or supporting assassination, but on the other hand, we are in no way responsible for stopping every such threat of which we might receive even partial knowledge. We certainly would not favor assassination of Diem. We believe engaging ourselves by taking position on this matter opens door too easily for probes of our position re others, re support of regime, et cetera. Consequently believe best approach is hands off. However, we naturally interested in intelligence on any such plan."**

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* The other courses of action were the encirclement of Saigon by various military units and direct confrontation between military units involved in the coup and loyalist units.

** Colby, who was then Chief, Far Eastern Division, drafted this cable for McCone. Colby testified:

> "Q: So you were on notice as of that date that the Director personally opposed any involvement by the CIA in an assassination?
>
> "Colby: I certainly was." (Colby, p. 57)

McCone testified that he met privately with the President and the Attorney General, taking the position that "our role was to assemble all information on intelligence as to what was going on and to report it to the appropriate authorities, but to not attempt to direct it" (McCone, p. 62). He believed the United States should maintain a "hands off attitude" (McCone, p. 62). McCone testified:

> "I felt that the President agreed with my position, despite the fact that he had great reservations concerning Diem and his conduct. I urged him to try to bring all the pressure we could on Diem to change his ways, to encourage more support throughout the country. My precise words to the President, and I remember them very clearly, was that Mr. President, if I was manager of a baseball team, I had one pitcher, I'd keep him in the box whether he was a good pitcher or not. By that I was saying that, if Diem was removed we would have not one coup but we would have a succession of coups and political disorder in Vietnam and it might last several years and indeed it did." (McCone, pp. 62-63.)

McCone stated that he did not discuss assassination with the President, but rather "whether we should let the coup go or use our influences not to". He left the meeting believing that the President agreed with his "hands off" recommendation (McCone, pp. 62-63). McCone cabled Smith on October 6:

> "McCone directs that you withdraw recommendation to ambassador (concerning assassination plan) under McCone instructions, as we cannot be in position actively condoning such course of action and thereby engaging our responsibility therefore" (CIA to Saigon, DIR 73661, 10/6/63).

In response, the CIA Station in Saigon cabled headquarters:

> "Action taken as directed. In addition, since DCM Trueheart was also present when original recommendation was made, specific withdrawal of recommendation at McCone's instruction was also conveyed to Trueheart. Ambassador Lodge commented that he shares McCone's opinion." (Saigon to CIA, SAIG 1463, 10/7/63)

Conein, the CIA official who dealt directly with the Generals,* testified that he was first told of McCone's response to the assassination alternative by Ambassador Lodge around October 20 (Conein, p. 35). Conein testified (but did not so indicate in his detailed After-Action Report) that he then told General Don that the United States opposed assassination, and that the General responded, "alright, you don't like it, we won't talk about it anymore" (Conein, p. 36).

The United States increased pressure on Diem to mend his ways. On October 17, General Richard Stillwell (MACV J-3) informed Secretary Thuan that the United States was suspending aid to the special forces units responsible for the pagoda raids until they were transferred to the field and placed under Joint General Staff (JGS) command (Pentagon Papers, p. 217). On October 27, Lodge traveled to Dalat with Diem, but did not receive any commitment from Diem to comply with American requests (Pentagon Papers, p. 219).

On October 28, Conein met with General Don, who had received assurance from Lodge that Conein spoke for the United States. Don said that he would make the plans for the coup

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* Conein described his role as follows:

"My job was to convey the orders from my Ambassador and the instructions from my Ambassador to the people who were planning the coup, to monitor those individuals who were planning the coup, to get as much information so that our government would not be caught with their pants down" (Conein, pp. 38-39).

available to the Ambassador four hours before it took place, and suggested that Lodge not change his plans to go to the United States on October 31. (I.G., C, p. 37; Pentagon Papers, p. 219.)

On October 30, Lodge reported to Washington that he was powerless to stop the coup, and that the matter was entirely in Vietnamese hands. General Harkins disagreed and cabled his opposition to the coup to General Taylor (Pentagon Papers, p. 220). A cable from Bundy to Lodge dated October 30 expressed White House concern and stated that "[w]e cannot accept conclusion that we have no power to delay or discourage a coup" (Cable, Bundy to Lodge, 10/30/63). A subsequent cable on that same day from Washington instructed Lodge to intercede with the Generals to call off the coup if he did not believe it would succeed. The instructions prescribed "strict noninvolvement and somewhat less strict neutrality". (Pentagon Papers, p. 220.)

Late in the morning of November 1, the first units involved in the coup began to deploy around Saigon. The Embassy was given only four minutes' warning before the coup began (MACV cable to Joint Chiefs of Staff 8512, 11/1/63).. An aide to Don told Conein to bring all available money to the Joint General Staff headquarters. Conein brought 3 million piasters (Approximately $42,000) to the headquarters, which was given to Don to procure food for his troops and to pay death benefits

to those killed in the coup (Conein, 6/20, p. 72).*

Conein was at the Joint General Staff Headquarters during most of the coup (I.G., C, pp. 41-42). At 1:40 p.m., the Generals proposed that Diem resign immediately, and guaranteed him and Nhu safe departure (Conein After-Action Report, p. 15). The palace was surrounded shortly afterwards, and at 4:30 p.m. the Generals announced the coup on the radio and demanded the resignation of Diem and Nhu. Diem called Lodge and inquired about the United States' position. Lodge responded that the United States did not yet have a view, and expressed concern for Diem's safety (Pentagon Papers, p. 221).

According to Conein's report, Minh told Nhu that if he and Diem did not resign within five minutes, the palace would be bombed. Minh then phoned Diem. Diem refused to talk with him and Minh ordered the bombing of the palace. Troops moved in on the palace, but Diem still refused to capitulate. Minh offered Diem a second chance to surrender half an hour later, telling him that if he refused he would be "blasted off of the earth". Shortly before nightfall an air assault was launched on the Presidential Guard barracks. (Conein After-Action Report, pp. 17-18.)

At 6:20 on the morning of November 2, Diem called General

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* CIA had apparently considered passing money to the coup leaders in early October (Colby, 6/20, p. 21). On October 29, Lodge calbed that a request for funds should be anticipated (Lodge to State, No. 2040, 10/29/63; and 2063, 10/30/63). Conein received the money on October 24, and kept it in a safe in his house.

Don at the Joint General Staff headquarters and offered to surrender if he and Nhu were given safe conduct to an airport. Shortly afterwards, Diem offered to surrender unconditionally and ordered the Presidential Guard to cease firing. According to Conein, an escort for Diem appeared in front of the palace at 8:00 a.m., but Diem and Nhu were not present (Conein After-Action Report, p. 24).

At 10:30 a.m. the bodies of Diem and Nhu were reported to be at the Joint General Chiefs' headquarters. Conein declined to view the bodies because he feared that doing so might damage United States interests (Conein, p. 57).

The details of Diem's and Nhu's deaths are not known.*

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* Conein specualted that Diem and Nhu escaped through a tunnel from the palace and fled to a Catholic Church in Chalon. He opined that an informant must have identified them and called the General Staff Headquarters (Conein After-Action Report, p. 23). Another CIA source states that Diem and Nhu had left the palace the previous evening with a Chinese businessman and arrived at the church at 8:00 on the morning of November 2. Ten minutes later they were picked up by soldiers and forced into an army vehicle (Cable, Saigon to State, No. 888). Minh originally told Conein that Diem and Nhu had committed suicide, but Conein doubted that Catholics would have taken their own lives in a church (Conein, p. 56). The Inspector General's Report states that on November 16, 1963, a field-grade officer of unknown reliability gave the CIA two photographs of the bodies of Diem and Nhu in which it appeared their hands were tied behind their backs (I.G., C, pp. 43-44). The source reported that Diem and Nhu had been shot and stabbed while being conveyed to the Joint General Staff headquarters.

None of the informed sources give any indication of direct or indirect involvement of the United States.*

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* It must be noted that on October 30, 1963, Ambassador Lodge notified Washington that there might be a request by ked leaders for evacuation, and suggested Saipan as a point for evacuation (Saigon Station Cable No. 2036, 10/30/63). Conein was charged with obraining the airplane. Between 6:00 and 7:00 on the morning of November 2, Minh and Don asked Conein to procure an aircraft. Conein relayed the request to David Smith, Acting Chief of Station at the Embassy, who replied that it would not be possible to get an aircraft for the next twenty-four hours, since it would have to be flown from Guam. Conein testified that Smith told him that Diem could be flown only to a country that offered him asylum and that the plane could not land in any other country. There were no aircraft immediately available that had sufficient range to reach a potential country of asylum (Conein, p. 54).

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IV. Findings and Conclusions

In evaluating the evidence and arriving at findings and conclusions, the Committee has been guided by the following standards. We believe these standards to be appropriate to the constitutional duty of a Congressional committee.

1. The Committee is not a court. Its primary role is not to determine individual guilt or innocence, but rather to draw upon the experiences of the past to better propose guidance for the future.

2. It is necessary to be cautious in reaching conclusions because of the amount of time that has passed since the events reviewed in this report, the inability of three Presidents and many other key figures to speak for themselves, the conflicting and ambiguous nature of much of the evidence, and the problems in assessing the weight to be given to particular documents and testimony.

3. The Committee has tried to be fair to the persons involved in the events under examination while at the same time responding to a need to understand the facts in sufficient detail to lay a basis for informed recommendations.

With these standards in mind, the Committee has arrived at the following findings and conclusions.

A. Findings Concerning the Plots Themselves

1. Officials of the United States Government Initiated Plots to Assassinate Fidel Castro and Patrice Lumumba

The Committee finds that officials of the United States Government initiated and participated in plots to assassinate Patrice Lumumba and Fidel Castro.

The plot to kill Lumumba was conceived in the latter half of 1960 by officials of the United States Government, and quickly advanced to the point of sending poisons to the Congo to be used for the assassination.

The effort to assassinate Castro began in 1960 and continued until 1965. The plans to assassinate Castro using poison cigars, exploding seashells, and a contaminated diving suit did not advance beyond the laboratory phase. The plot involving underworld figures reached the stage of producing poison pills, establishing the contacts necessary to send them into Cuba, procuring potential assassins within Cuba, and, according to one witness, delivering the pills to the island itself. In the 1960 plot involving a Cuban pilot and in the AM/LASH episode from 1963-1965, the CIA gave active support and encouragement to Cubans whose intent to assassinate Castro was known, and provided the means for carrying out the assassination.

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2. <u>No Foreign Leaders Were Killed As a Result of Assassination Plots Initiated by Officials of the United States</u>

The poisons intended for use against Patrice Lumumba were never administered to him, and there is no evidence that the United States was in any way involved in Lumumba's death at the hands of his Congolese enemies. The effort to assassinate Castro failed. *Do we know how far they went?*

3. <u>American Officials Encouraged or Were Privy to Coup Plots Which Resulted in the Death of Trujillo, Diem, and Schneider</u>

American officials clearly desired the overthrow of Trujillo, offered both encouragement and guns to local dissidents attempting his overthrow, and supplied them with pistols and rifles. *Knew [illegible] was desired*

American officials offered encouragement to the Vietnamese generals who plotted Diem's overthrow, and a CIA official in Vietnam gave the generals money after the coup had begun. However, Diem's assassination was neither desired nor suggested by officials of the United States.

The record reveals that the United States officials offered encouragement to the Chilean dissidents who plotted the kidnapping of General Rene Schneider, but did not desire or encourage his death. Certain high officials did know that the dissidents planned to kidnap General Schneider.

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As Director Colby testified before the Committee, the death of a foreign leader is a risk forseeable in any coup attempt. In the cases we have considered, the risk of death was known in varying degrees. It was widely known that the dissidents in the Dominican Republic intended to assassinate Trujillo; the contemplation of coup leaders to assassinate Nhu, President Diem's brother, was communicated to the upper levels of the United States Government; while the CIA and perhaps the White House knew that the coup leaders in Chile planned to kidnap General Schneider, it was not anticipated that he would be killed, although the possibility of his death should have been recognized as a forseeable risk of his kidnapping.

4. <u>The Plots Occurred in a Cold War Atmosphere Perceived to be of Crisis Proportions</u>

The Committee fully appreciates the importance of evaluating the assassination plots in the historical context within which they occurred. In the preface to this report, we described the perception, generally shared within the United States during the depths of the Cold War, that the country faced a monolithic enemy in Communism. That attitude helps explain the assassination plots which we have reviewed, although it does not justify them. Those involved nevertheless appeared to believe they were advancing the best interests of their country.

5. American Officials Had Exaggerated Notions About Their Ability to Control the Actions of Coup Leaders

Running throughout the cases considered in this report was the expectation of American officials that they could control the actions of dissident groups which they were supporting in foreign countries. Events demonstrated that the United States had no such power. This point is graphically demonstrated by cables exchanged shortly before the coup in Vietnam. Ambassador Lodge cabled Washington on October 30, 1963, that he was unable to halt a coup; a cable from Bundy in response stated that "We cannot accept conclusion that we have no power to delay or discourage a coup." The coup took place three days later.

Shortly after the experience of the Bay of Pigs, CIA headquarters requested operatives in the Dominican Republic to tell the dissidents to "turn off" the assassination attempt, because the United States was not prepared to "cope with the aftermath." The dissidents replied that the assassination was their affair and that it could not be turned off to suit the convenience of the United States Government.

6. CIA Officials Made Use of Known Underworld Figures in Assassination Efforts

Officials of the CIA made use of persons associated with the criminal underworld in attempting to achieve the assassination of Fidel Castro. These underworld figures were relied upon because it was believed that they had expertise and contacts that were not available to law-abiding citizens.

Foreign citizens with criminal backgrounds were also used by the CIA in two other cases that we have reviewed. In the development of the Executive Action capability, one foreign national with a criminal background was used to "spot" other members of the European underworld who might be used by the CIA for a variety of purposes, including assassination if the need should arise. In the Lumumba case, two men with criminal backgrounds were used as field operatives by CIA officers in a volatile political situation in the Congo.

B. Conclusions Concerning the Plots Themselves

1. The United States Should Not Engage in Assassination

We cannot condone the use of assassination as a tool of foreign policy. Aside from pragmatic arguments against the use of assassination supplied to the Committee by witnesses with extensive experience in covert operations, we find that assassination violates moral precepts fundamental to our way of life.

In addition to considerations, there were several practical reasons advanced for not assassinating foreign leaders. These reasons are discussed in the section of this report recommending a statute making assassination a crime.

a. Distinction Between Targeted Assassinations Instigated by the United States and Support for Dissidents Seeking to Overthrow Local Governments

Two of the five principal cases investigated by the Committee involved plots to kill foreign leaders (Lumumba and Castro) that were instigated by American officials. Three of the cases (Trujillo, Diem, Schneider) involved killings in the course of coup attempts by local dissidents. These latter cases differed in the degree to which assassination was contemplated by the leaders of the coups and the degree to which United States officials motivated the coups.

The Committee concludes that targeted assassinations instigated by the United States must be prohibited.

Coups involve varying degrees of risk of assassination. The possibility of assassination in coup attempts raises questions concerning the propriety of United States involvement in coups, particularly in those where the assassination of a foreign leader is a likely prospect.

This country was created by violent revolt against a regime believed to be tyrannous, and our founding fathers (the local dissidents of that era) received aid from foreign countries. Given that history, we should not today rule out support for dissident groups seeking to overthrow tyrants. But passing beyond that principle, there remain serious questions: for example, whether the national interest of the United States is genuinely involved; whether any such support should be overt rather than covert; what tactics should be used; and how such actions should be authorized and controlled by the coordinate branches of government. The Committee believes that its recommendation on the question of covert actions in support of coups must await the Committee's final report which will be issued after a full review of covert action in general.

b. The Setting In Which the Assassination Plots Occurred Explains, But Does Not Justify Them

The Cold War setting in which the assassination plots took place does not change our view that assassination is unacceptable in our society. In addition to the moral and practical problems discussed elsewhere, we find two principal defects in any contention that the tenor of the period justified the assassination plots:

First, the assassination plots were not necessitated by imminent danger to the United States. Among the cases studied, Castro alone posed a threat to the United States, but then only during the period of the Cuban missile crisis. Plots against Castro's assassination had been planned had begun by the CIA long before that crisis, and was not advanced by policymakers as a possible course of action during the crisis.

Second, we reject absolutely any notion that the United States should justify its actions by the standards of totalitarians. Our standards must be higher, and this difference is what the struggle is all about. Of course, we must defend our democracy. But in defending it, we must resist undermining the very virtues we are defending.

Two documents which have been supplied to the Committee graphically demonstrate attitudes which can lead to tactics that erode and could ultimately destroy the very ideals we must defend.

The first was written in 1954 by a special committee formed to advise the President on covert activities. The United States may, it said, have to adopt tactics "more ruthless than [those] employed by the enemy" in order to meet the threat from hostile nations. The report concluded that "long standing American concepts of American fair play must be reconsidered."*

Although those proposals did not involve assassinations, the attitudes underlying them were, as Director Colby testified, indicative of the setting within which the assassination plots were conceived. (Colby, 6/4/75, p. 117)

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* The full text of the passage is as follows:

> . . . another important requirement is an aggressive covert psychological, political, and paramilitary organization far more effective, more unique, and, if necessary, more ruthless than that employed by the enemy. No one should be permitted to stand in the way of the prompt, efficient, and secure accomplishment of this mission.
>
> The second consideration, it is now clear that we are facing an implacable enemy whose avowed objective is world domination by whatever means at whatever cost. There are no rules in such a game. Hitherto acceptable norms of human conduct do not apply. If the U. S. is to survive, long standing American concepts of American fair play must be reconsidered.

We do not think that traditional American notions of fair play need be abandoned when dealing with our adversaries. It may well be ourselves that we injure most if we adopt tactics "more ruthless than the enemy".

A second document which represents an attitude which we find improper was sent to the Congo in the fall of 1960 when the assassination of Patrice Lumumba was being considered. The chief of CIA's Africa Division recommended a particular agent -- WIROGUE -- because

> He is indeed aware of the precepts of right and wrong, but if he is given an assignment which may be morally wrong in the eyes of the world, but necessary because his case officer ordered him to carry it out, then it is right, and he will dutifully undertake appropriate action for its execution without pangs of conscience. In a word, he can rationalize all actions. (Memo dated / /60; Bissell Tr., 6/11/75, p.)

The Committee finds this philosophy is not in keeping with the ideals of our nation.

2. The United States Should Not Make Use of Underworld Figures for Their Criminal Talents

We conclude that agencies of the United States must not use underworld figures for their criminal talents* in carrying out their operations. In addition to the corrosive effect

*Pending our investigation of the use of informants by the FBI and other agencies, we reserve judgment on the use of known criminals as informants. We are concerned here only with the use of persons known to be actively engaged in criminal pursuits for their expertise in carrying out criminal acts.

upon our government,* the use of underworld figures involves the following dangers:

a. The use of underworld figures for "dirty business" gives them the power to blackmail the government and to avoid prosecution, for past or future crimes. For example, the figures involved in the Castro assassination operation used their involvement with the CIA to avoid prosecution. The CIA also contemplated attempting to quash criminal charges against QJWIN in a foreign tribunal.

b. The use of persons experienced in criminal techniques and prone to criminal behavior increases the likelihood that criminal acts will occur. Agents in the field are necessarily given broad discretion. But the risk of improper activities is increased when persons of criminal background are used, particularly when they are selected precisely to take advantage of their criminal skills or contacts.

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*The corrosive effect of dealing with underworld figures is graphically demonstrated by the fact that Attorney General Robert Kennedy, who had devoted much of his professional life to fighting organized crime, did not issue an order against cooperating with such persons when he learned in May 1961 that the CIA had made use of Sam Giancana in a sensitive operation in Cuba.

In May 1962, when the Attorney General learned that the operation had involved assassination, he did, according to a CIA witness, inform those briefing him that underworld figures should not be used before checking with him first, but failed to direct that they must never be so used.

c. There is the danger that the United States Government will become an unwitting accomplice to criminal acts and that criminal figures will take advantage of their association with the government to advance their own projects and interests.

d. There is a fundamental impropriety in selecting persons because they are skilled at performing deeds which the laws of our society forbid.

The use of underworld figures by the United States Government for their criminal skills raises moral problems comparable to those recognized by Justice Brandeis in a different context five decades ago:

> Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself. To declare that in the administration of the criminal law the end justifies the means -- to declare that the Government may commit crimes in order to secure the conviction of the private criminal -- would bring terrible retribution. Against this pernicious doctrine this Court should resolutely set its face. <u>Olmstead v. U. S.</u>, 277 U.S. 439, 485 (1927)

C. Findings and Conclusions Relating to the Issues of Authorization and Control

In the introduction to this report, we set forth in summary form our major conclusions concerning whether the assassination plots were authorized. The ensuing discussion elaborates and explains those conclusions.

The Committee analyzed the question of authorization for the assassination activities from two perspectives. First, the Committee examined whether officials in policymaking positions authorized or were aware of the assassination activities. Second, the Committee inquired whether the officials responsible for the operational details of the plots perceived that assassination had the approval of their superiors, or at least was the type of activity that their superiors would not disapprove.

No doubt, the CIA's general efforts against the regimes discussed in this report were authorized at the highest levels of the government. But the record leaves serious

doubt concerning whether assassination was authorized by the Administrations. Even if the plots were not expressly authorized, it does not follow that the Agency personnel believed they were acting improperly.

1. The Command and Control System for Assassinations Was Such That the Plots Could Have Been Undertaken Without Express Authorization

As emphasized throughout this report, we are unable to draw firm conclusions concerning responsibility for the assassination plots. Even after our long investigation, it is unclear whether the conflicting and inconclusive state of the evidence is due to the system of plausible denial and its attendant doctrines, or whether there were in fact serious shortcomings in the system of authorization which made it possible for assassination efforts to have been undertaken by agencies of the United States Government without express authority from officials outside of those agencies.

Our preeminent finding is that assassination could have been undertaken by an agency of the United States Government without it having been uncontrovertibly clear that there was

explicit authorization from the highest level. The command and control system revealed by the record might have ~~made it~~ possible for the CIA to have engaged in assassination activities without express authorization by officials outside the Agency.

The ambiguity and imprecision in the record illustrates the dangers of a "plausible denial" system in which the precise level of authorization may be difficult to ascertain. While there is no evidence that the "plausible denial" system has succeeded in shielding decision makers in the cases considered in this report, the possibility that a system exists which might permit those responsible for authorizing major operations to escape responsibility is disturbing. Responsible government requires that public officials be held accountable for their decisions.

2. Findings Relating to the Level at Which the Plots Were Authorized

a. Diem

We find that neither the President nor any other official in the United States Government authorized the assassination of Diem and his brother Nhu. Both the DCI and top State Department officials did know, however, that the death of Nhu at least at one point had been contemplated by the coup leaders. To the contrary, when the possibility that the coup leaders were considering assassination was brought to the

attention of the DCI, he directed that the United States would have no part in such activity, and this information was relayed to the coup leaders.

b. Schneider

We find that neither the President nor any other official in the United States Government authorized the assassination of General Rene Schneider. The CIA, and perhaps the White House, did know that coup leaders contemplated kidnapping, which, as it turned out, resulted in Schneider's death.

but was the possibility of death raised

c. Trujillo

The Presidents and other senior officials in the Eisenhower and Kennedy Administrations sought the overthrow of Trujillo and approved general actions to obtain that end.

The DCI and the Assistant Secretary of State for Inter-American Affairs knew that the Dominican dissidents intended to assassinate Trujillo, but the date at which the dissidents' intent to assassinate was communicated to higher levels of the government responsible for formulating policy is less clear. The record does establish that in the Spring of 1961 senior American officials, including the President, learned that the dissidents intended to assassinate Trujillo and that they desired machine guns for that purpose. The Special Group disapproved passage of those weapons and the President himself, in a telegram, reaffirmed that decision, indicating that the

United States "as [a] matter of general policy cannot condone assassination", although he did state that if the coup succeeded, the United States would support the plotters.

need whole statement

d. Lumumba

The chain of events revealed by the documents and testimony is strong enough to permit a reasonable inference that the assassination plot was authorized by the President. It is absolutely clear that Allen Dulles authorized the plot.

The juxtaposition of discussions concerning "disposing of" Lumumba and taking "straightforward action" against him at NSC and Special Group meetings with Dulles' cable to the Congo, Bissell's representation to Gottlieb about "highest authority", and the delivery of poison to the Congo can be read to support an inference that the President and the Special Group urged the assassination of Lumumba.

Robert Johnson's testimony that he understood the President to have ordered Lumumba's assassination at an NSC meeting does, as he said, offer a "clue" about Presidential authorization which, however, should be read in light of the uncertain record of the meetings Johnson attended and the contrary testimony of others in attendance at the meetings, including the President's national security advisors. The fact that both the Chief of Station and Gottlieb were under the impression that there was Presidential authorization for the assassination of Lumumba is not in itself direct evidence of such authorization because

this impression was derived solely from Gottlieb's meetings with Bissell and Tweedy. Neither Gottlieb nor the Chief of Station had first-hand knowledge of Allen Dulles' statements about Presidential authorization. Richard Bissell assumed that such authorization had been conveyed to him by Dulles, but Bissell had no specific recollection of any event when this occurred.

The evidence leads us to conclude that DDP Bissell and DCI Dulles knew about and authorized the plot to assassinate Lumumba. However, we are unable to make a finding that President Eisenhower intentionally authorized an assassination effort against Lumumba because of the lack of absolute certainty in the evidence.

STD

e. Castro

There was no evidence from which the Committee could conclude that Presidents Eisenhower, Kennedy, or Johnson, their close advisors, or the Special Group authorized the assassination of Castro.

We find that the effort against Castro was clearly authorized through the level of DDP. It is not certain whether Allen Dulles knew about the plots, although Bissell and Edwards were of the opinion that he did, and the credibility of their beliefs is buttressed by the fact that Dulles knew about the Lumumba assassination plot, which was planned and attempted at the time of the early Castro plots. We can find no evidence that McCone was aware of the plots which occurred during his tenure. His DDP, Richard Helms, testified that he never discussed the subject with McCone and was never expressly authorized by anyone to assassinate Castro.

The only suggestion of express Presidential authorization for the plots against Castro was Richard Bissell's opinion that Dulles would have circumlocutiously informed Presidents Eisenhower and Kennedy after the assassination had been planned and was underway. The assumptions underlying this opinion are too attenuated for the Committee to adopt it as a finding.

TOP SECRET

First, it assumes that Dulles himself knew of the plots, a matter which is not certain. Second, it assumes that Dulles went privately to the two Presidents--a course of action which Helms, who had far more covert action experience than Bissell, testified was precisely what the doctrine of plausible denial forbade CIA officials from doing. Third, it necessarily assumes that the Presidents would understand from a "circumlocutious" description that assassination was being discussed.

The chain of assumptions is far too speculative for the Committee to make findings inplicating Presidents who are not able to speak for themselves. Moreover, it is inconsistent with Bissell's other testimony that "formal and explicit" approval would be required for assassination,* and contrary to the testimony of all the Presidential advisors, the men closest to both Eisenhower and Kennedy.

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* If the evidence concerning President Eisenhower's order to assassinate Lumumba is correct, it should be weighed against Bissell's testimony concerning circumlocutious briefings of the Presidents in the Castro case. First, the Lumumba case would imply that President Eisenhower and Dulles did discuss such matters bluntly and not circumlocutiously. Second, the Lumumba example indicates that the President would discuss such matters openly in an appropriate forum, and would not need to be approached privately. Third, it can be inferred from Bissell's testimony in the Castro case that if President Eisenhower had told Dulles that he approved of the plot, Dulles would not have told anyone else of that fact. Yet Gottlieb's testimony in the Lumumba case states that he had been told of Presidential authorization for assassination by Bissell, who in turn assumed he was told by Dulles.

Helms and McCone testified that the Presidents under which they served never asked them to consider assassination.

There was no evidence whatsoever that President Johnson knew about or authorized any assassination activity during his Presidency.

3. <u>CIA Officials Involved in the Assassination Operations Perceived Assassination To Have Been A Permissible Course of Action</u>

The CIA officials involved in the targeted assassination attempts testified that they had believed that their activities had been fully authorized.*

In the case of the Lumumba assassination operation, Richard Bissell testified that he had no direct recollection of authorization, but after having reviewed the cables and Special Group minutes, testified that authority must have flowed from Dulles through him to the subordinate levels in the Agency.

In the case of the assassination effort against Castro, Bissell and Sheffield Edwards testified they believed the operation involving underworld figures had been authorized by Dulles when they briefed him shortly after the plot had been initiated. William Harvey testified he believed that the

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* The lower level operatives, such as O'Connell and the AM/LASH case officers, are not discussed in this section, since they had clear orders from their immediate superiors.

plots "were completely authorized at every appropriate level within and beyond the Agency", although he had "no personal knowledge whatever of the individuals' identities, times, exact words, or channels through which such authority may have passed". Harvey stated that he had been told by Richard Bissell that the effort against Castro had been authorized "from the highest level", and that Harvey had discussed the plots with Richard Helms, his immediate superior. Helms testified that although he had never discussed assassination with his superiors, he believed:

> ". . . that in these actions we were taking against Cuba and against Fidel Castro's government in Cuba, that they were what we had been asked to do. . . . In other words we had been asked to get rid of Castro and . . . there were no limitations put on the means, and we felt we were acting well within the guidelines that we understood to be in play at this particular time.

The evidence points to a disturbing situation. Agency officials perceived the effort to assassinate Castro to have been within the parameters of permissible action, but Administration officials (including McCone) responsible for formulating policy were not aware of the effort and did not authorize it. The explanation may lie in the fact that orders concerning overthrowing the Castro regime were stated in broad terms that were subject to differing interpretations by those responsible for carrying out those orders.

The various Presidents and their senior advisors

strongly opposed the regimes of Castro and Trujillo, the accession to power of Allende, and the potential influence of Patrice Lumumba. Orders concerning action against those foreign leaders were given in vigorous language. For example, President Nixon's orders to prevent Allende from assuming power left Helms feeling that "if I ever carried a marshall's baton in my knapsack out of the oval office, it was that day." Similarly, General Lansdale described the Mongoose effort against Cuba as "a combat situation", and Attorney General Kennedy emphasized that "a solution to the Cuban problem today carries top priority". Helms testified that the pressure to "get rid of [Castro and the Castro regime]" was intense, and Bissell testified that he had been ordered to "get off your ass about Cuba".

It is possible that there was a failure of communication between policymakers and the agency personnel who were experienced in secret, and often violent, action. Although policymakers testified that assassination was not intended by such words as "get rid of Castro", some of their subordinates in the Agency testified that they perceived that assassination was desired and that they should proceed without troubling their superiors.

The 1967 Inspector General's Report on assassinations appropriately observed:

> The point is that of frequent resort to synechdoche -- the mention of a part when the whole is to be understood, or vice versa. Thus, we encounter repeated references to phrases such as "disposing of Castro", which may be read in the narrow, literal sense of assassinating him, when it is intended that it be read in the broader, figurative sense of dislodging the Castro regime. Reversing the coin, we find people speaking vaguely of "doing something about Castro" when it is clear that what they have specifically in mind is killing him. In a situation wherein those speaking may not have actually meant what they seemed to say or may not have said what they actually meant, they should not be surprised if their oral shorthand is interpreted differently than was intended.

Differing perceptions between superiors and their subordinates were graphically illustrated in the Castro context.* McCone, in a memorandum dated April 14, 1967, reflected as follows:

> Through the years the Cuban problem was discussed in terms such as "dispose of Castro", "remove Castro", "knock off Castro", etc., and this meant the overthrow of the Communist government in Cuba and the replacing of it with a democratic regime. Terms such as the above appear in many working papers, memoranda for the record, etc., and, as stated, all refer to a change in the Cuban government.

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* "Senator Mathias: Let me draw an example from history. When Thomas A'Beckett was proving to be an annoyance, as Castro, the King said, 'who will rid me of this turbulent priest?'. He didn't say, 'go out and murder him'. He said, 'who will rid me of this man', and let it go at that.

"Mr. Helms: That is a warming reference to the problem.

"Senator Mathias: You feel that spans the generations and the centuries?

"Mr. Helms: I think it does, sir.

"Senator Mathias: And that is typical of the kind of thing which might be said, which might be taken by the

Helms, who had considerable experience as a covert operator, gave precisely the opposite meaning to the same words, interpreting them as conveying authority for assassination.

Helms repeatedly testified that he felt that explicit authorization was unnecessary for the assassination of Castro in the early 1960's, but he said he did not construe the intense pressure from President Nixon in 1970 as providing authority to assassinate anyone. As Helms testified, the difference was not that the pressure to prevent Allende from assuming office was any less than the pressure to remove the Castro regime, but rather that "I had already made up my mind that we weren't going to have any of that business when I was Director."

Certain CIA contemporaries of Helms who were subjected to similar pressures in the Castro case rejected the thesis that implicit authority to assassinate Castro derived from the strong language of the policymakers. Bissell testified that he had believed that "formal and explicit approval" would be required for assassination, and McManus testified

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director or by anybody else as presidential authorization to go forward?

"Mr. Helms: That is right. But in answer to that, I realize that one sort of grows up in tradition of the time and I think that any of us would have found it very difficult to discuss assassinations with a President of the U.S. I just think we all had the feeling that we were hired out to keep those things out of the oval office."

that "it never occurred to me" that the vigorous words of the Attorney General could be taken as authorizing assassination. The differing perceptions may have resulted from their different backgrounds and training. Neither Bissell (an academician whose Agency career for the six years before he became DDP had been in the field of technology) nor McManus (who had concentrated on intelligence and staff work) were experienced in covert operations.*

The perception of certain Agency officials that assassination was within the range of permissible activity was reinforced by the continuing approval of violent covert actions against Cuba that were sanctioned at the Presidential level and by the failure of the successive administrations to make clear that assassination was not permissible. This point is one of the subjects considered in the next section.

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* Of course, this analysis cannot be carried too far. In the Lumumba case, for example, Johnson and Dillon, who were Administration officials with no covert operation experience, construed remarks as urging or permitting assassination, while other persons who were not in the Agency did not so interpret them.

4. The Failure In Communication Between Agency Officials In Charge Of The Assassination Operations And Their Superiors In The Agency And In The Administration Was Due To:

(a) The Failure of Subordinates To Disclose The Operations To Their Superiors; and

(b) The Failure of Superiors to Give Precise Orders Regarding the Nature of Permissable Operations and to Make Clear That Assassination Was Precluded in the Climate of Violence Engendered by the Aggressive Covert Actions Sanctioned by the Administrations.

While we cannot find that officials responsible for making policy decisions knew about or authorized the assassination attempts (with the possible exception of the Lumumba case), Agency operatives at least through the level of DDP nevertheless perceived assassination to have been permissible. This failure in communication was inexcusable in light of the gravity of assassination. The Committee finds that the failure of Agency officials to inform their superiors was reprehensible, and that the reasons that they offered for having neglected to inform their superiors are unacceptable. The Committee further finds that Administration officials failed to be sufficiently precise in their directions to the Agency and that their attitude toward the possibility of assassination was ambiguous in the context of the violence of other activities that they did authorize. 3) Didn't follow-up sufficiently

(a) Agency Officials Failed On Several Occasions To Reveal The Plots To Their Superiors, Or To Do So With Sufficient Detail and Clarity

Several of the cases considered in this report raise questions concerning whether officials of the CIA sufficiently informed their superiors in the Agency or officials outside the Agency about their activities.

Castro

The failure of Agency officials to inform their superiors of the assassination efforts against Castro is particularly troubling.

Richard Bissell testified that he and Sheffield Edwards told Allen Dulles only "circumlocutiously" and only after the project had begun about the operation which used members of the underworld. Both Bissell and his successor as DDP, Richard Helms, testified that they never discussed the operation with John McCone or any officials outside the CIA. The two officials directly responsible for the operation--Edwards and William Harvey--testified that they never discussed the operation with McCone or any Government official above the level of DDP. McCone testified that he was never consulted about the operation, and that Dulles never briefed him on its existence. On the basis of the testimony and documentary evidence before the Committee, it is uncertain whether Dulles

Should Harvey have told

was ever made aware of the true nature of the underworld operation, and virtually certain that it continued into McCone's term without his or the Administration's knowledge or approval.

On the occasions when Richard Bissell had the opportunity to inform his superiors about the assassination effort against Castro, he either failed to explicitly inform them or misled them.

Bissell testified that he and Edwards told Dulles and Cabell about the assassination operation using underworld figures, but that they did so "circumlocutiously", and then only after contact had been made with the underworld and a price had been offered for Castro's death.

Bissell further testified that he never raised the issue of assassination with officials of either the Eisenhower or Kennedy Administration. His reason was that since he was under Dulles in the chain of command, he would normally have had no duty to discuss the matter with the Presidents or other Administration officials, and that he assumed that Dulles would have circumlocutiously spoken with Presidents Eisenhower and Kennedy about the operation. These reasons are insufficient. It was inexcusable to withhold such information from those responsible for formulating policy on the unverified assumption that they might have been circumlocutiously informed by Dulles, who

himself had not been straight-forwardly told about the operation.*

The failure to either inform those officials or to make certain that they had been informed by Dulles was particularly reprehensible in light of the fact that there were many occasions on which Bissell should have informed them, and his failure to do so was misleading. In the first weeks of the Kennedy Administration, Bissell met with Bundy and discussed the development of an assassination capability within CIA--executive action. But Bissell did not mention that an actual assassination attempt was underway. Bissell appeared before the Taylor-Kennedy Board of Inquiry which was formed to report to the President on the Bay of Pigs and the Cuban situation, but testified that he did not inform the Commission of the assassination operation. As chief of the CIA directorate concerned with clandestine operations and the Bay of Pigs, Bissell frequently met with officials in the Eisenhower and Kennedy Administrations to discuss Cuban operations, and his advice was frequently sought. He did not tell them that the CIA had undertaken an effort to assassinate Castro, and did not ask if they favored proceeding with the

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* Even assuming that Bissell correctly perceived that Dulles understood the nature of the operation, it was inexcusable for Bissell not to have briefed Dulles in plain language. Further, even if one accepts Bissell's assumption that Dulles told the Presidents, they would have been told too late, because Bissell "guessed" they would have been told that the operation "had been planned and was being attempted".

effort. He was present at the meeting with Dulles and President Kennedy at which the new President was briefed on covert action in Cuba, but neither Dulles nor Bissell mentioned the assassination operation that was underway.

The failures to make forthright disclosures to policymakers continued during the time that Richard Helms was DDP. Helms' failure to inform McCone about the underworld operation when it was reactivated under Harvey and poison pills were sent to Cuba was a grave error in judgment, and Helms' excuses are unpersuasive. In May of 1962, the Attorney General was told that the CIA's involvement in an assassination plot had terminated with the Bay of Pigs. Not only did Edwards, who had briefed the Attorney General, know that the operation had not been terminated, but Helms did not inform the Attorney General that the operation was still active when he learned that the Attorney General had been misled. Helms did not inform McCone of the plot until August 1962, and did so then in a manner which indicated that the plot had been terminated before McCone became Director. Helms' denial that AM/LASH had been involved in an assassination attempt in response to Secretary of State Rusk's inquiries was, as Helms testified, "not truthful".

When Helms briefed President Johnson on the Castro plots, he apparently described the activities that had occurred during prior administrations but did not describe the AM/LASH opera-

tion which had continued until 1965. Helms also failed to inform the Warren Commission of the plots because the precise question was not asked.

Helms told the Committee that he had never raised the assassination operation with McCone or Kennedy Administration officials because he had assumed that the project had been previously authorized, and that the aggressive character of the Kennedy Administration's program against the Castro regime made assassination permissible even in the absence of an express instruction. He added that he had never been convinced that the operation would succeed, and that he would have told McCone about it if he had ever believed that it would "go anyplace".

Helms' reasons for not having told his superiors about the assassination effort are unacceptable; indeed, many of them were reasons why he should have sought express authority. As Helms himself testified, assassination was of a high order of sensitivity. Administration policymakers, supported by intelligence estimates furnished by the Agency, had emphasized on several occasions that successors to Castro might be worse than Castro himself. In addition, the Special Group Augmented required that plans for covert actions against Cuba be submitted in detail for its approval. Although the Administration was exerting intense pressure on the CIA to do something about Castro and the Castro regime, it was a serious error to have

undertaken so drastic an operation without obtaining full and equivocal permission.

William Harvey, the officer in charge of the CIA's attempt using underworld figures to assassinate Castro, testified that he never discussed the plot with McCone or officials of the Kennedy Administration because he believed that it had been fully authorized by the previous Director, because he was uncertain whether it had a chance of succeeding, and because he believed that it was Helms', not his, duty to inform higher authorities.

Nonetheless, the Committee believes there were occasions on which it was incumbent on Harvey to have disclosed the assassination operation. As head of Task Force W, the branch of the CIA responsible for covert operations in Cuba, Harvey reported directly to General Lansdale and the Special Group including McCone Augmented. The Special Group Augmented had made known that covert operations in Cuba should be first approved by it, both by explicit instruction and by its practice that particular operations be submitted in "nauseating detail". Yet Harvey

did not inform either General Lansdale or the Special Group Augmented of the assassination operation, either when he was explicitly requested to report to McCone, General Taylor, and the Special Group on his activities in Miami in April 1962, or when the subject of assassination was raised in the August 1962 meeting and McCone voiced his disapproval.

The Committee finds that the reasons advanced for not having informed those responsible for formulating policy about the assassination operation were inadequate, misleading, and inconsistent. Some officials viewed assassination as too important and sensitive to discuss with superiors, while others considered it not sufficiently important. Harvey testified that it was premature to tell McCone about the underworld operation in April 1962, because it was not sufficiently advanced, but too late to tell him about it in August 1962, since by that time he had decided to terminate it. On other occasions, officials thought disclosure was someone else's responsibility; Bissell said he thought it was up to Dulles, Harvey believed it was up to Helms, but Helms remarked that Harvey "kept Phase II pretty much in his back pocket".

relationship w/ point

The Committee concludes that the failure clearly to inform policymakers of the assassination effort against Castro was grossly improper. The Committee believes that it should be incumbent upon the DDP to report such a sensitive operation to his superior, the DCI, no matter how grave his doubts might be about the possible outcome of the operation. It follows that the DCI has the same duty to accurately inform his superiors.

Trujillo

In the Trujillo case there were several instances in which it appears that policymakers were not given sufficient information, or were not informed in a timely fashion.

At a meeting on December 29, 1960, Bissell presented a plan to the Special Group for supporting Dominican exile groups and local dissidents, and stated that the plan would not bring down the regime without "some decisive stroke against Trujillo himself". At a meeting on January 12, 1961, the Special Group authorized the passage of "limited supplies of small arms and other material" to Dominican dissidents under certain conditions. At this time, the fact that the dissidents had been contemplating the assassination of Trujillo had been known in the State Department at the level of the Assistant Secretary of State for Inter-American Affairs, and by senior officials of the CIA, including the DCI. Yet the memorandum supplied to Under Secretary Merchant, which

was said to have been the basis upon which the Special Group agreed to the "limited supply" of small arms, did not mention assassination. To the contrary, it spoke of "sabotage potential" and stated that there "would be no thought of toppling the [government] by any such minor measure [as the supplying of small arms]."

On February 17, 1961, Richard Bissell sent a memorandum on the Dominican Republic to McGeorge Bundy. Bissell knew that the dissidents planned to assassinate Trujillo, but his memorandum did not mention assassination. It indicated that the dissidents' "plan of action" included arms for 300 men. Those involved agreed that support of this nature suggested a non-targeted paramilitary plan, not an assassination.

The passage of the carbines was approved by CIA headquarters on March 31, 1961. The State Department was apparently unaware of this passage for several weeks. The pouching of the machine guns was not disclosed outside the CIA.

The State Department official from whom the CIA sought permission to pass the machine guns stated that on "cross examination" the CIA official conceded that the purpose was assassination. The CIA official then agreed the United States should have nothing to do with assassination plots "anywhere, anytime", even though the previous day he and Bissell had signed a draft cable permitting the passage of the machine guns for use in connection with a planned assassination.

Schneider

The issue here is not whether the objectives of the CIA were contrary to those of the Administration. It is clear that President Nixon desired to prevent Allende from assuming office, even if that required fomenting and supporting a coup in Chile. Nor did White House officials suggest that tactics employed (including as a first step to kidnapping General Schneider) would have been unacceptable as a matter principle. Rather, the issue posed is whether White House officials were consulted, and thus given an opportunity to weigh such matters as risk and likelihood of success, and to apply policy-making judgments to particular tactics. The record indicates that up to October 15 they were; after October 15 there is some doubt.

The documentary record with respect to the disputed post-October 15 period gives rise to conflicting inferences. On the one hand, Karamessines' calendar shows existence of at least one White House contact in the critical period prior to the kidnapping of General Schneider on October 22. However, the absence of any substantive memoranda in CIA files--when contrasted with several such memoranda describing contacts with the White House between September 15 and October 15--may suggest a lack of significant communication on the part of the CIA as well as a lack of careful supervision on the part of the White House.

The standards applied within the CIA itself suggest a view that action which the Committee believes called for top-level policy discussion and decision was thought of as permissible, without any further consultation, on the basis of the initial instruction to prevent Allende from assuming power. Machine guns were sent to Chile and delivered to military figures there on the authority of junior CIA officers without consultation even with the CIA officer in charge of the program. We find no suggestion of bad faith in the action of the junior officers. But it necessarily establishes that there was no advance permission from outside the CIA for the passage of machine guns. And it also suggests an attitude within the CIA toward consultation which was unduly lax. Further, this case demonstrated the problems inherent in giving an agency a "blank check" to engage in covert operations without specifying which actions are and are not permissible, and without adequately supervising and monitoring these activities once begun.

(b) On Occasion, Administration Officials Gave Vague Instructions to Subordinates and Failed to Make Sufficiently Clear That Assassination Should Be Excluded From Consideration.

While we cannot find that high Administration officials expressly approved of the assassination attempts, we have noted that certain agency officials nevertheless perceived

assassination to have been authorized. Although those officials were remiss in not seeking express authorization for their activities, their superiors were also at fault for giving vague instructions and for not explicitly ruling out assassination. No written order prohibiting assassination was issued until 1972, and that order was an internal CIA directive issued by Director Helms.

maybe didn't rule it out

Schneider

As explained above, there is no evidence that assassination was ever proposed as a method of carrying out the Presidential order to prevent Allende from assuming office. The Committee believes, however, that the granting of carte blanche authority to the CIA by the Executive in this case may have contributed to the tragic and unintended death of General Schneider. This was also partially due to impositing an impractical task to be accomplished within an unreasonably short time. Apart from the question of whether any intervention was justified under the circumstances of this case, the committee believes that the Executive in any event should have defined the limits of permissible action.

Lumumba

We are unable to make a finding that President Eisenhower intentionally authorized an assassination effort against Lumumba because of the lack of absolute certainty in the evidence. However, it appears that the

strong language used in discussions at the Special Group and NSC, as reflected in minutes of relevant meetings, led Dulles to believe that assassination was desired. The minutes contain language concerning the need to "dispose of" Lumumba, an "extremely strong feeling about the necessity for straight forward action", and a refusal to rule out any activity that might contribute to "getting rid of" Lumumba.

Castro

The effort to assassinate Fidel Castro took place in an atmosphere of extreme pressure by Eisenhower and Kennedy Administration officials to discredit and overthrow the Castro regime. Richard Helms recalled that:

> "I remember vividly [that the pressure] was very intense. And therefore, when you go into the record, you find a lot of nutty schemes there and those nutty schemes were borne of the intensity of the pressure. And we were quite frustrated."

Bissell recalled that:

> "During that entire period, the administration was extremely sensitive about the defeat that had been afflicted, as they felt, on the U.S. at the Bay of Pigs, and were pursuing every possible means of getting rid of Castro."

Another witness, Samuel Halpern, stated that sometime in the Fall of 1961 Bissell was

> "chewed out in the Cabinet Room in the White House by both the President and the Attorney General for, as he put it, sitting on his ass and not doing anything about getting rid of Castro and the Castro Regime."

General Lansdale informed the agencies cooperating in Operation

Mongoose that "you're in a combat situation where we have been given full command". Secretary of Defense McNamara confirmed that "we were hysterical about Castro at the time of the Bay of Pigs and thereafter".

Many of the plans that were discussed and often approved contemplated violent action against Cuba. The operation which resulted in the Bay of Pigs was a major paramilitary onslaught that had the approval of the highest government officials, including the two Presidents. Thereafter, Attorney General Kennedy vehemently exhorted the Special Group Augmented that "a solution to the Cuban problem today carried top priority . . . no time, money, effort--or manpower is to be spared."* Subsequently, Operation Mongoose involved propaganda and sabotage operations aimed toward spurring a revolt of the Cuban people against Castro. Measures that were considered by the top policymakers included incapacitating sugar workers during harvest season by the use of chemicals; blowing up bridges and production plants; sabotaging merchandise in third countries--even those allied with the United States--prior to its delivery to Cuba; and arming insurgents on the island. Programs undertaken at the urging

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* The Attorney General himself took a personal interest in the recruitment and development of assets within Cuba, on occasion recommending Cubans to the CIA as possible recruits and meeting in Washington and Florida with Cuban exiles active in the covert war against the Castro government.

of the Administration included intensive efforts to recruit and arm dissidents within Cuba and raids on plants, mines, and harbors.

Discussions at the Special Group and NSC meetings might well have contributed to the perception of some CIA officials that assassination was a permissible tool in the effort to overthrow the Castro regime. At a Special Group meeting in November 1960, Under Secretary Merchant inquired whether any planning had been undertaken for "direct, positive action" against Che Guevarra, Raul and Fidel Castro. Cabell replied that such a capability did not exist, but might well have left the meeting with the impression that assassination was not out of bounds. One phase of Lansdale's plans, which was submitted to the Special Group in January 1962, aimed at inducing "open revolt and overthrow of the Communist regime", and included in the final phase an "attack on the cadre of the regime, including key leaders". The proposal stated that "this should be a 'Special Target" operation . . . . Gangster elements might provide the best recruitment potential against police. . ." Several minutes from Special Group meetings contain language such as "possible removal of Castro from the Cuban scene". Although Lansdale's proposal was shelved, the type of aggressive action contemplated was not ruled out.

On several occasions, the subject of assassination was

discussed in the presence of senior Administration officials. While those officials never consented to actual assassination efforts, they also failed to indicate that assassination was impermissible as a matter of principle. did they believe it

In early 1961, McGeorge Bundy was informed of a CIA project described as the development of a capability to assassinate.* Bundy raised no objection and, according to Bissell, may have been more affirmative. Although Bissell stated that he did not infer authorization from Bundy's remarks for the underworld plot against Castro that was then underway, the fact that he believed that the development of an assassination capability had been approved by the White House (which he subsequently told to Harvey) may well have contributed to the general perception that assassination was not prohibited.

Documents indicate that in May 1962, Attorney General Kennedy was told that the CIA had sought to assassinate Castro prior to the Bay of Pigs. According to the CIA officials present at the briefing, the Attorney General

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* Bundy, who was National Security Advisor to the President, had an obligation to tell the President of such a grave matter, even though it was only a discussion of a capability to assassinate. His failure to do so was a serious error.

indicated his displeasure about the lack of consultation on the impropriety of the attempt itself.* There is no evidence that the Attorney General told the CIA that it must not engage in assassination plots.

At a meeting of the Special Group Augmented in August 1962, well after the assassination efforts were underway, Robert McNamara is said to have raised the question of whether the assassination of Cuban leaders should be explored, and General Lansdale issued an action memorandum assigning the CIA the task of preparing contingency plans for the assassination of Cuban leaders. While McCone testified that he had immediately made it clear that assassination was not to be discussed or condoned, Harvey's testimony and documents which he wrote after the event indicate that Harvey may have been confused over whether McCone had objected to the use of assassination, or whether he was only concerned that the subject not be put in writing. In any

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* Documents show that the Attorney General, Robert Kennedy, learned in May of 1961 that the CIA had used underworld figures in an operation against Cuba. The documentary record further reflects that the Attorney General was not told that the operation had involved assassination efforts until May of 1962, and that the operation was then described to him as having been terminated in May 1961. There is no evidence that the Attorney General suspected the true nature of the operation until that briefing, or that he learned that it had not in fact been terminated. While it is curious that the Attorney General would not have inquired further into the nature of the operation when he discovered that Sam Giancana had been involved in it, there is no evidence that he did.

event, McCone went no further. He issued no general order banning consideration of assassination within the Agency.

One of the programs forwarded to General Lansdale by the Defense Department in the Mongoose program was entitled "Operation Bounty" and envisioned dropping leaflets in Cuba offering rewards for the assassination of Government leaders. Although the plan was vetoed by Lansdale, it indicates that persons in agencies other than the CIA perceived that assassination might be permissible.

While the ambivalence of Administration officials does not excuse the misleading conduct by Agency officials or justify their failure to seek explicit permission, it displayed an insufficient concern about assassination which may have contributed to the perception that assassination was an acceptable tactic in accomplishing the Government's general objectives.

With the exception of the tight guidelines issued by the Special Group Augmented concerning Operation Mongoose, precise limitations were never imposed on the CIA requiring prior permission for the details of other proposed covert operations against Cuba. No general policy banning assassination was promulgated until Helms' intra-agency order in 1972. In light of the number of times in which the subject of assassination arose, Administration officials were remiss in not explicitly forbidding such activity.

* * * * * *

The Committee notes that many of the occasions on which CIA officials should have informed their superiors of the assassination efforts but failed to do so, or did so in a misleading manner, were also occasions on which Administration officials paradoxically may have reinforced the perception that assassination was permissible.

For example, when Bissell spoke with Bundy about an executive action capability, Bissell failed to indicate that an actual assassination operation was underway, but Bundy failed to rule out assassination as a tactic.

In May of 1962 the Attorney General was misleadingly told about the effort to assassinate Castro prior to the Bay of Pigs, but not about the operation that was then going on. The Attorney General, however, did not state that assassination was improper.

When a senior administration official raised the question of whether assassination should be explored at a Special Group meeting, the assassination operation should have been revealed, but a firm written order against engaging in assassination should also have been issued by McCone if, as he testified, he had exhibited strong aversion to assassination.

6. <u>Practices Current at the Time in Which the Assassination Plots Occurred Were Revealed by the Record to Create the Risk of Confusion, Rashness, and Irresponsibility in the Very Areas Where Clarity and Sober Judgment Was Most Necessary.</u>

Various witnesses described elements of the system within which the assassination plots were conceived. The Committee is disturbed by the custom that permitted the most sensitive matters to be presented to the highest levels of Government with the least clarity. We find this disturbing, and view the following concepts as particularly dangerous:

(1) The extension of the doctrine of "plausible denial" beyond its intended purpose of hiding the involvement of the United States from other countries to an effort to shield higher officials from knowledge, and hence, responsibility for certain operations.

But conclusion to concept

(2) The use of circumlocution or euphemism to describe serious matters--such as assassination--when precise meanings ought to be made clear.

(3) The theory that general approval of broad covert action programs is sufficient to justify specific actions such as assassination or the passage of weapons.

(4) The theory that authority granted, or assumed to be granted, by one director or one administration could be presumed to continue without the necessity for reaffirming the authority with successor officials.

(5) The creation of capabilities without careful review and authorization by policymakers, and the risk that such capabilities might be used without further authorization.

(a) The Danger Inherent in Overextending the Doctrine of Plausible Denial

The original concept of plausible denial envisioned implementing covert actions in a manner calculated to conceal American involvement if the actions were exposed. The doctrine was at times a delusion and at times a snare. It was naive for policymakers to assume that sponsorship of actions as big as the Bay of Pigs invasion could be concealed. The Committee's inquiry into assassination and the public disclosures which preceded it demonstrate that when the United States resorted to cloak and dagger tactics, its hand was ultimately exposed. In addition, the likelihood of reckless action is substantially increased when policymakers believe that their decisions will never be revealed.

Whatever can be said in defense of the original purpose of plausible denial--a purpose which intends to conceal U.S. involvement from the outside world--the extension of

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the doctrine to the internal decision-making process of the Government is absurd. Any theory which, as a matter of doctrine, places elected officials on the periphery of the decision-making process is an invitation to error, an abdication of responsibility, and a perversion of democratic government.

doesn't necessarily

(b) The Dangers of Using "Circumlocution" and "Euphemism"

According to Richard Bissell, the extension of plausible denial to internal decisionmaking required the use of circumlocution and euphemism in speaking with Presidents and other senior officials.

Explaining this concept only heightens its absurdity. On the one hand, it assumes that senior officials should be shielded from the truth to enable them to deny knowledge if the truth comes out. On the other hand, the concept assumes that senior officials must be told enough, by way of double talk, to grasp the subject. As a consequence, the theory fails to accomplish its objective and only increases the risk of misunderstanding. Subordinate officials should describe their proposals in clear, precise, and brutally frank language; busy superiors are entitled to and should demand no less.

Euphemism may actually have been preferred--not because

of plausible denial--but because the persons involved could not bring themselves to state in plain language what they intended to do and may have, in some instances, assumed, rightly or wrongly, that the listening superiors did not want the issue squarely placed before them. Assassinate, murder and kill are words many people do not want to speak or hear. They describe acts which should not even be proposed, let alone plotted. Failing to call dirty business by its rightful name may have increased the risk of dirty business being done.

(c) The Danger of Generalized Instructions.

Permitting specific acts to be taken on the basis of general approvals of broad strategies (e.g., keep Allende from assuming office, get rid of the Castro regime) blurs responsibility and accountability. Worse still, it increases the danger that subordinates may take steps which would have been disapproved if the policymakers had been informed. A further danger is that policymakers might intentionally use loose general instructions to evade responsibility for embarrassing activities.

In either event, we find that the gap between the general policy objectives and the specific actions undertaken to achieve them was far too wide.

It is important that policymakers review the manner in

which their directives are implemented, particularly when the activities are sensitive, secret, and immune from public scrutiny.

(d) The Danger of "Floating Authorization"

One justification advanced by Richard Helms and William Harvey for not informing John McCone about the use of underworld figures to assassinate Fidel Castro was their assertion that the project had already been approved by McCone's predecessor, Allen Dulles, and that further authorization was unnecessary, at least until the operation had reached a more advanced stage.

Similarly, most of the actions taken in the Trujillo case during the early months of the Kennedy Administration were authorized by the Special Group on January 12, 1961, at the end of the Eisenhower Administration.

The idea that authority might continue from one administration or director to the next and that there is no duty to reaffirm authority with successors inhibits responsible decisionmaking. Circumstances may change or judgments differ. New officials should be given the opportunity to review significant programs.

(e) The Problems Connected with Creating New Covert Capabilities

The development of a new capability raises numerous problems. Having a capability to engage in certain covert

activity increases the probability that it will occur, since the capability represents a tool that is available for use. There is the further danger that authorizing a capability may be misunderstood as authorizing its use without need for obtaining explicit authorization.

Of course, an assassination capability should never have been created in the first place.

Approved by
Drafting
Subcommittee
10/8/75
(with possible reservation
as to language of statute)

V. RECOMMENDATIONS

During our long investigation of assassination, a number of vital issues came into sharp focus.

Above all, stood the question of assassination. Our recommendations on other issues should await the completion of our continuing investigations and our final report. But we need no more information to convince us that a flat ban against assassination should be written into law.

We condemn assassination and reject it as an instrument of American policy. Surprisingly, at present there is no statute making it a crime to assassinate a foreign official outside the United States. Hence, for the reasons set forth below, the Committee recommends the prompt enactment of a statute making it a Federal crime to commit or attempt an assassination, or to conspire to do so.

A. <u>General agreement that the United States must not engage in assassination</u>. Our view that assassination has no place in America's arsenal is shared by the Administration.

President Ford, in the same statement in which he asked this Committee to deal with the assassination issue, stated:

> I am opposed to political assassination. This administration has not and will not use such means as instruments of national policy. Presidential Press Conference, June 9, 1975, <u>Weekly Compilation of Presidential Documents</u>, Vol. II, No. 24, p. 611.

The witnesses we examined uniformly condemned assassination. They denounced it as immoral, described it as impractical, and reminded us that an open society, most of all, runs the risk of the assassination of its own leaders. As President Kennedy was reported to have said: "we can't get into that kind of thing, or we would all be targets." (Goodwin 7/18/75, p. 4)

The current CIA Director and his two predecessors testified emphatically that assassination should be banned. Thus, Colby said:

> With respect to assassination, my position is clear. I just think it is wrong. And I have said so and made it very clear to my subordinates. (5/21/75, p. 89)

Colby's predecessor, Helms, although himself involved in an earlier plot, said he had concluded assassination should be ruled out for both moral and practical reasons:

> As a result of my experiences through the years, when I became Director I had made up my mind that this option...of killing foreign leaders, was something that I did not want to happen on my watch. My reasons for this were these:
>
> There are not only moral reasons but there are also some other rather practical reasons.
>
> It is almost impossible in a democracy to keep anything like that secret.... Somebody would go to a Congressman, his Senator, he might go to a newspaper man, whatever the case may be, but it just is not a practical alternative, it seems to me, in our society.
>
> Then there is another consideration...if you are going to try by this kind of means to remove a foreign leader, then who is going to take his place running that country, and are you essentially better off as a matter of practice when it is over than you were before? And I can give you I think a very solid example of this which happened in Vietnam when President Diem was eliminated from the scene. We then had a revolving door of prime ministers after that for quite some period of tiem, during which the Vietnamese Government at a time in its history when it should have been strong was nothing but a caretaker government....In other words, that whole exercise turned out to the disadvantage of the United States.
>
> ...there is no sense in my sitting here with all the experience I have had and not sharing with the Committee my feelings this day. It isn't because I have lost my cool, or because I have lost my guts, it simply is because I don't think it is a viable option in the United States of America these days.
>
> Chairman Church. Doesn't it also follow, Mr. Helms -- I agree with **what** you have said fully -- but doesn't it also follow on the practical side, apart from the moral side, that since these secrets are bound to come out, when they do, they do very grave political damage to the United States in the world at large? I don't know to what extent the Russians

involved themselves in political assassinations, but under their system they at least have a better prospect of keeping it concealed. Since we do like a free society and since these secrets are going to come out in due course, the revelation will then do serious injury to the good name and reputation of the United States.

Would you agree with that?

Mr. Helms. Yes, I would.

The Chairman. And finally, if we were to reserve to ourselves the prerogative to assassinate foreign leaders, we may invite reciprocal action from foreign governments who assume that if it's our prerogative to do so, it is their prerogative as well, and that is another danger that we at least invite with this kind of action, wouldn't you agree?

Mr. Helms. Yes, sir. (6/13/75, pp. 76-78)

Similarly, John McCone said he was opposed to assassinations because:

> I didn't think it was proper from the standpoint of the U.S. Government and the Central Intelligence Agency. (6/6/75, p. 15)

B. CIA Directives Banning Assassination. In 1972 and 1973, Helms and then Colby issued internal CIA orders banning assassination. In his order, Helms said:

> It has recently again been alleged in the press that CIA engages in assassination. As you are well aware, this is not the case, and Agency policy has long been clear on this issue. To underline it, however, I direct that no such activity or operation be undertaken, assisted or suggested by any of our personnel....(Memorandum, Helms to Deputy Directors, 3/6/72)

Colby, in one of a series of orders in August 1973 arising out of the Agency's own review of prior "questionable activity," issued an order which stated:

> CIA will not engage in assassination nor induce, assist or suggest to others that assassination be employed. (Memorandum, Colby to Deputy Directors, 8/29/73)

C. The need for a statute. Commendable and welcome as they are, these CIA directives are not sufficient. Administrations change, CIA directors change, and someday in the future what was tried in the past may once again become a temptation. Assassination plots did happen. It would be irresponsible for us not to do all that we can do to prevent their happening again. Laws express our society's values; they deter those who might be tempted and stiffen the will of those who want to resist.

The statute we recommend, which is printed as an appendix to this report, makes it a criminal offense for persons subject to the jurisdiction of the United States 1) to conspire, within or outside the United States, to assassinate a foreign official; 2) to attempt to assassinate a foreign official, or 3) to assassinate a foreign official.

Present law makes it a crime to kill, or to conspire to kill, a foreign official or foreign official guest while such a person is in the United States. 18 U.S.C. 1116; 18 U.S.C. 1117. However, there is no law which makes it a crime to assassinate, or to conspire or attempt to assassinate, a foreign official while such official is outside the United States. Our proposed statute is thus designed to close this gap in the law.

Subsection (a) of the proposed statute would punish conspiracies formed within the United States; subsection (b) punishes conspiracies outside of the United States. Subsection (b) is necessary to eliminate the loophole which would otherwise permit persons to simply leave the United States and conspire abroad. Subsections (c) and (d), respectively, make it an offense to attempt to kill or to kill a foreign official outside the United States.

Subsections (a) through (d) specifically apply to any "officer or employee of the United States" to make clear that the statute punishes conduct by U.S.

government personnel, as well as conduct by private citizens having no relation to the U.S. government. In addition, subsection (a), dealing with conspiracies within the United States, applies to "any other person," whether or not a United States citizen. Noncitizens who conspire within the United States to assassinate a foreign official clearly come within the jurisdiction of U.S. law. Subsections (b) through (d), which deal with conduct outside the United States, apply to U.S. citizens, and to officers or employees of the United States, whether or not they are citizens. Criminal liability for conduct outside the United States of persons who are not U.S. citizens or who do not hold a position as a officer or employee of the United States are matters for the law of the place where such conduct takes place.

The term "foreign official" is defined in subjection (d) (2). The definition makes it clear that the offense may be committed even though the official belongs to an insurgent force, an unrecognized government, or a non-governmental political party. Our investigation -- as well as the reality of international politics -- has shown that officials in such organizations are potential targets for assassination.*/

The offenses are limited to conduct aimed at such persons because of their official duties or status, or their political views, actions, or statements. Thus, for example, a conspiracy to kill or the killing of a foreign official, which is not politically motivated would not be punishable under this statute.

The definition of official in section (d) (2) also provides that such person must be an official of a foreign government or movement "with which the United States is not at war or against which the United States Armed Forces have

*/For example, Lumumba was not an official of the Congolese government at the time of the plots against his life, and Trujillo, though the dictator, held no official governmental position in the latter period of his regime.

not been introduced into hostilities or situations pursuant to the provisions of the War Powers Resolution." This definition makes it clear that, absent a declaration of war or the introduction of United States Armed Forces pursuant to the War Powers Resolution, the killing of foreign officials is a criminal offense. /insert discussion of paramilitary aspect/

* * * * *

In the course of our hearings, some witnesses, while strongly condemning assassination, asked whether, as a matter of theory, assassination should absolutely be ruled out in a time of truly unusual national emergency. Adolf Hitler was cited as an example. Of course, the cases with which we were concerned were not of that character.*/ In a grave emergency, the President has a limited power to act, not in violation of the law, but in accord with his own responsibilities under the Constitution to defend the Nation. As the Supreme Court has declared, the Constitution "is not a suicide pact." Kennedy v. Mendoza-Martinez, 372 U.S. 144, 160 (1963).

Abraham Lincoln, in an unprecedented emergency, claimed unprecedented power based on the need to preserve the nation:

> ...my oath to preserve the Constitution to the best of my ability, imposed upon me the duty of preserving, by every indispensable means, that government -- that nation -- of which that Constitution was the organic law. Was it possible to lose the nation, and yet preserve the Constitution? By general law life and limb must be protected; yet often a limb must be amputated to save a life; but a life is never wisely given to save a limb. I felt that measures, otherwise unconstitutional, might become lawful, by becoming indispensable to the preservation of the Constitution, through the preservation of the nation .... The Complete Works of Abraham Lincoln, Vol. X, pp. 65-66 (Nicolay and Hay, Eds. 1894).

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*/Indeed, in the only situation of true national crisis -- the Cuban missile crisis -- assassination was not even considered.

Of course, whatever the extent of the President's own constitutional powers, it is a fundamental principle of our constitutional system that these powers are checked and limited by the Congress, including the Congress' power of impeachment. As a necessary corollary, any action taken by a President pursuant to his limited inherent powers and in apparent conflict with the law must be disclosed to the Congress. Only then may the Congress judge whether the action truly represented, in Lincoln's phrase, an "indispensable necessity" to the life of the Nation.

As Lincoln explained in submitting his extraordinary actions to the Congress for ratification: "In full view of his great responsibility he has, so far, done what he has deemed his duty. You will now, according to your own judgment, perform yours." (Abraham Lincoln, Message to Congress in Special Session, July 4, 1861).

Approved by Drafting
Subcommittee on 9/9/75

EPILOGUE

We do not believe that the acts which we have examined represent the real American character. They do not reflect the ideals which have given the people of this country and of the world hope for a better, fuller, fairer life. We regard the assassination plots as aberrations.

We must not adopt the tactics of the enemy. Means are as important as ends. Crisis makes it tempting to ignore the wise restraints that make men free. But each time we do so, each time the means we use are wrong, our inner strength, the strength which makes us free, is lessened.

Despite our distaste for what we have seen, we have great faith in this country. The story is sad, but this country has the strength to hear it and to learn from it. We must remain a people who confront our mistakes and resolve not to repeat them. If we do not, we will decline; but, if we do, our future will be worthy of the best of our past.